

All of us have disagreements with the President, as we would have with any occupant of the White House. But the fact that we are in disagreement on some issues—the fact that the President's standing in some popularity polls is not as high as it might be—does not cause me to abandon him and start looking for another candidate.

The President is dedicated, he works hard, he is not afraid to make tough decisions, and he is certainly a well-meaning man of great personal integrity.

He deserves much better than he is receiving—both from the press and from Members of Congress. And I would say to my Democratic colleagues that continual statements of doom and gloom can have a way of becoming self-fulfilling. I do not plan to be a party to those statements of abandonment, and I urge my colleagues to reject them.

The statement of some Members of Congress and some representatives of the media seem to suggest to the American people that the difficult and painful decisions we face would somehow be less painful and less difficult under someone else; that some miraculous consensus would emerge for all the complex problems we face and public sacrifice would not be necessary.

These assertions are not realistic and do a disservice to the citizens of the country.

The political obituary of Jimmy Carter has been written before—it proved to be premature.

The political processes will unfold in due time. The need at present is to put the interest of the country first—with unity and support for the President.

The need is for those of us in responsible positions of leadership in the Senate and House to give the President a fair chance, reject the temptation to bail out of the ship when the first leak appears,

and give him the kind of support necessary to solve some of the problems we are facing.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will come in at 10 o'clock tomorrow morning. After the two leaders or their designees have been recognized under the standing order, the Senate will take up the bill S. 835, to extend the Appalachian Regional Development Act and title V of the Public Works and Economic Development Act. There will undoubtedly be rollcall votes in connection with that bill or amendments thereto.

Upon the disposition of that bill, the Senate will take up S. 265, the Equal Access to Justice Act, on which there is a time agreement. There will be rollcall votes, in all likelihood, in connection with that bill.

The Senate will then go to Calendar Order No. 221, S. 1119, a bill to direct the Secretary of the Interior to report to the Congress on plans or projects affecting the territories and possessions of the United States. There is a time agreement on that measure.

Tomorrow will be, I venture to say, a long day, because every effort will be made to dispose of those three measures, if at all possible, tomorrow.

RECESS UNTIL 10 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and, at 6:12 p.m., the Senate recessed until tomorrow, Tuesday, July 31, 1979, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate July 30, 1979:

##### NATIONAL TRANSPORTATION SAFETY BOARD

George Herbert Patrick Bursley, of Maryland, to be a Member of the National Transportation Safety Board for the remainder of the term expiring December 31, 1979.

##### CONSUMER PRODUCT SAFETY COMMISSION

Stuart M. Statler, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of 7 years from October 27, 1979.

The above nominations were approved subject to the nominees' commitments to respond to requests to appear and testify before any duly constituted committee of the Senate.

##### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

National Oceanic and Atmospheric Administration nominations beginning Herbert R. Lippold, Jr., to be rear admiral (upper half), and ending Stephen L. Carlson, to be ensign, which nominations were received by the Senate on July 5, 1979, and appeared in the CONGRESSIONAL RECORD of July 9, 1979.

##### IN THE COAST GUARD

Coast Guard nominations beginning John P. Delong, to be chief warrant officer, W-2, and ending Lionel R. Munsey, to be lieutenant (jg), which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 16, 1979.

## HOUSE OF REPRESENTATIVES—Monday, July 30, 1979

The House met at 12 o'clock noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

*But be ye doers of the word, and not hearers only, deceiving your own selves.*  
—James 1: 22.

Heavenly Father, we laud and praise Your holy name that You have given us our traditions and history and the heroes and leaders who have testified to the faith. We thank You for all people whose words and wisdom encourage us and inspire us each day.

O gracious Lord, help us not only to hear the right word or listen to the truth, but give us the strength to demonstrate our beliefs in deeds of good will and acts of mercy to those in need. Save us from inaction or a lack of will, but teach us always to live our faith as we serve You and our neighbor.

In the name of the Lord, we pray.  
Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4057) entitled "An act to increase the fiscal year 1979 authorization for appropriations for the food stamp program."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is

requested bills of the House of the following titles:

H.R. 4394. An act making appropriations for the Department of Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1980, and for other purposes; and

H.R. 4580. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1980, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4394) entitled "An act making appropriations for the Department of Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1980, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses

□ This symbol represents the time of day during the House Proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

thereon, and appoints Mr. PROXMIRE, Mr. STENNIS, Mr. BAYH, Mr. HUDDLESTON, Mr. LEAHY, Mr. SASSER, Mr. DURKIN, Mr. MAGNUSON, Mr. MATHIAS, Mr. BELLMON, Mr. WEICKER, Mr. LAXALT, Mr. SCHMITT, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4580) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1980, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LEAHY, Mr. BUMPERS, Mr. DURKIN, Mr. MAGNUSON, Mr. MATHIAS, Mr. SCHMITT, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Vice President, and upon the recommendations of the majority and minority leaders, pursuant to Public Law 86-42, appointed Mr. SARBANES, Mr. BAUCUS, Mr. McCLURE, and Mr. CHAFEE to the Canada-United States Interparliamentary Group, to be held August 9-17, 1979, in Canada/Alaska.

#### THE DISAPPEARANCE OF ETAN PATZ

(Mr. PEYSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEYSER. Mr. Speaker, as we in the Congress approach our recess this week, I am asking that all Members do an act of kindness for a family in New York. Two months ago, 6-year-old Etan Patz disappeared while walking 2 blocks to his schoolbus. A 500-man police search has not revealed one clue. It is now assumed that Etan may have been taken away from the New York area, and is somewhere in the United States.

A poster is being delivered today to each Member's office in the hope that each Member will be able to go home and give this to his local media and ask them if they will carry this story together with a description of Etan. Perhaps someone, somewhere, has seen this young man and can help bring him back to his family.

#### MARGARET HIGGINS SANGER, 1883-1966

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, as a young woman Margaret Higgins Sanger embraced the radical causes of her day—most passionately the complete emancipation of women.

One of eleven children and mother of three children, Margaret Sanger became interested in the issue of family planning. Beginning with a series of articles in 1913 on "What Every Girl Should Know," she crusaded zealously for birth control. In 1920 Margaret Sanger pub-

lished a book entitled "Women and the New Race," which urged women to create their own destiny, their own roles.

After visiting Europe to learn firsthand what was being done in the modern family planning clinics of England and Holland, Margaret Sanger founded America's first contraceptive clinic in 1923 and organized similar centers in Asia. She lobbied to repeal a Federal law which classified birth control information as obscene.

Berated by the political and religious establishment of her time, arrested for her militancy, Margaret Sanger confidently stood as a woman for all women.

#### THE LATE HONORABLE JOHN B. BRECKINRIDGE

(Mr. PERKINS asked and was given permission to address the House for 1 minute.)

Mr. PERKINS. Mr. Speaker, the name Breckinridge is as old or older than politics and government in the Commonwealth of Kentucky, and the latest bearer of the name to serve in this Chamber, John B. Breckinridge, who died yesterday, added distinction and luster to it.

John was not the first Breckinridge to serve here. Preceding him were Breckinridges who represented Kentucky, as well as other States, with John Cabell Breckinridge, who was the youngest man ever elected Vice President of the United States, perhaps the best known in our early history.

Our John Breckinridge served in three Congresses, the 93d through the 95th, and he concentrated his work on the subjects which were most important to the people of central Kentucky: agriculture and small business.

But he had a distinguished prior career in the State—he was attorney general twice, an indication that the people approved of his efforts and his achievements in that highly important position. He also served in the general assembly, at a time when innovation was needed, and he was among the legislators who helped move Kentucky ahead. Additionally, he was corporation counsel for his home town, Lexington, and at one time was a special attorney in the Antitrust Division of the Department of Justice.

It is a remarkable career when you look at the total work—service on the local community level, in several important positions on the State level, in important posts on the Federal level, including the executive as well as the legislative, and also service in assistance of numerous organizations and groups seeking public improvement.

He served in World War II, and rose to colonel, and in between this service and private law practice, he raised a family.

His counsel was always astute, his efforts were never hesitant, he was eager to fight the good fight and do well at it, and he did do well at it. Kentucky and the Nation are better because of John's life, and we will miss him very much.

● Mr. O'NEILL. Mr. Speaker, I would be greatly remiss if I did not take this opportunity to recognize the untimely

passing of the late Honorable John Breckinridge of Kentucky.

John came from a great and distinguished family. Both sides of his ancestry were replete with men who served their State and country in offices of the public trust and confidence. Born in 1913, John Breckinridge, to the fullest measure, came to live up to the lofty standards manifested in the lives of his forefathers.

Graduating from the University of Kentucky in 1937, John Breckinridge went on to pursue the study of law. World War II interrupted his plans to open his own practice, but he so distinguished himself under arms that he left the Army at the noble rank of colonel.

His desire to continue in the family tradition to serve the public trust brought him to the Kentucky House of Representatives in 1956, where he remained until 1960. While serving in the Kentucky State Legislature, John led the fight to improve education and highways—a fight in which he was largely successful. In 1960, John left his legislative post to serve as the State's attorney general.

My friendship with John Breckinridge began when he was elected to the U.S. House of Representatives in 1972. During his tenure in the "People's House," John Breckinridge served on the Committees on Agriculture and Small Business, where he chaired the Subcommittee on Antitrust and Restraint of Trade Activities Affecting Small Business.

Those of us who had the privilege to serve in the House with John Breckinridge remember him as a man of strong moral character and integrity, unpretentious in style yet committed to the rural interests of his beloved Kentucky, and a member who always kept his word. He was a guiding light in the founding of the rural caucus, the key ad hoc organization in the House which monitors agriculture policy and makes informal recommendations on farming interests to the House Agriculture Committee.

John Breckinridge was a popular Member of the House who worked diligently and conscientiously for the benefit of Kentucky's Sixth District.

I join my colleagues in extending my sincere condolences to the family and friends of John Breckinridge.

Mr. HOPKINS. Mr. Speaker, it is with great sadness that I rise to advise my colleagues of the passing of a former Member of this House, John Bayne Breckinridge, of Kentucky. John was stricken last evening at his home in Lexington.

Although, as Congressman Breckinridge's successor, I was not privileged to serve alongside him in this Chamber, many of my colleagues were fortunate to have done so. You will remember, no doubt, how hard he worked to represent the people of central Kentucky. I remember too, but from a different perspective. For John Breckinridge was my Congressman for 6 years, from 1973 to 1979.

I had the highest regard for his honesty, integrity, scholarship, and dedication to the principles in which he so strongly believed. Here was a man who unselfishly put his background, training, and experience to work in the service of



his fellow citizens throughout a long and outstanding career in public life. The fifth Breckinridge from Kentucky to serve in Congress, John extended his forebears' legacy in a way which could only have made them proud.

Born in Washington, D.C., on November 29, 1913, his path to the U.S. House of Representatives was an honorable one. John graduated from the University of Kentucky in 1937, and from its law school 2 years later. From Lexington, he returned to Washington in 1940 as a young attorney in the Department of Justice. The early days of World War II found John in the U.S. Army, and there too he excelled, attaining the rank of colonel before resigning his commission to return to civilian life.

Kentucky beckoned, and so did politics. Several terms in the State legislature led to his election as Kentucky's attorney general. We in the State knew John to be an able public servant, and, therefore, we were pleased and proud when his peers elected him president of the National Association of Attorneys General.

In 1973, John Bayne Breckinridge took his seat in this Chamber for the first time. In January of this year, he left it for the last time. During the intervening years, John rendered an everlasting service to the Nation he loved, and to the people he loved. But his contribution did not stop there. Citizens in Kentucky's Sixth Congressional District continued to reap the benefits of John Breckinridge's dedication well into the 96th Congress. For when this Member was elected to succeed him, John made every effort to effect a smooth transition between the two of us and our respective staffs. Party labels were not important to him then; effective representation in Washington for the constituents he loved was.

Mr. Speaker, the Honorable John Bayne Breckinridge was a fine Congressman, a fine American, and a fine man. I am sure my colleagues join me in extending our deepest sympathy to his wife, Helen, and the rest of his family.

#### GENERAL LEAVE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the life, character, and public service of the late Honorable John B. Breckinridge.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

#### HAPPY BIRTHDAY, CONGRESSWOMAN SCHROEDER

(Mr. SEIBERLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SEIBERLING. Mr. Speaker, we have just heard the distinguished gentlewoman from Colorado in another one of her talks about distinguished American women. Today happens to be her birthday, I understand, and it seems to me that we ourselves have the privilege of having in our midst one of America's

most distinguished women, namely, the Congresswoman herself.

I do not need to recount to the Members her many achievements as a Member of this body, but I can tell the Members that before she ever came here she distinguished herself as a leading person in the field of women's rights, as an airplane pilot, as a distinguished scholar, and as a wonderful mother and wife to her family.

It is a great pleasure for me to be able to call that to our colleagues' attention today.

#### VOTE AGAINST ADJOURNMENT RESOLUTION UNTIL ENERGY AND INFLATION PROBLEMS ARE SOLVED

□ 1210

(Mr. LEVITAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVITAS. Mr. Speaker, later today the Members of the House will be asked to vote on an adjournment resolution for the August district work period. I would take this time to urge my colleagues to join with me in voting against that resolution.

I think it is extremely important that the American people see that the Congress recognizes the seriousness of the problems with which we are faced today, primarily energy and inflation, and that we should stay on the job until we have gotten these problems licked. Editorial opinion supports this view. I think it is important for the Members of this House to respond to what the public is looking for and create a climate of confidence and end the crisis of confidence.

Two editorials on this subject follow: [From the Atlanta Journal, July 20, 1979]

#### LEAVE THE BATTLEFIELD?

We applaud the appeal that Rep. Elliott Levitas of Georgia's 4th Congressional District has made to his colleagues in the House, but we're not optimistic that the appeal will be heeded.

The congressman from DeKalb County urged the House to forgo its August vacation—officially known as "August District Work Period"—in order to mislead the voters.

Instead of departing Washington for home districts—or wherever—the members of Congress should remain in session in order to get cracking on finding solutions to the energy crisis, Levitas asserted.

"Soldiers don't go on leave when they are on the battlefield," the Georgian declared. "We must roll up our sleeves and go to work."

It's an interesting thought. And as far as Congress has been concerned for the past several months—and for the past several years—there has been no energy crisis worthy of the name. Congress has either resorted to foot-dragging on energy or it has rejected the energy proposals put forth by President Carter.

Now in the aftermath of the Camp David summit and the Carter national address on the energy crisis more people are willing to accept the fact that there really is a crisis.

Perhaps if enough people accept that as fact, enough members of Congress will do the same.

But even if they do, we're inclined to doubt that Rep. Levitas' words will be heeded. Insofar as being soldiers on the battlefield is con-

cerned, members of Congress are noted for their rear-echelon mentality.

[From the Atlanta Constitution, July 24, 1979]

#### STAY IN SESSION

Congress, forget the August recess. Stay in Washington and move forward on the pressing issues and problems facing America.

It is the least you can do.

To take the entire month of August off, for a little resting and politicking at home while there's so much that urgently needs attending to in Washington, would be highly irresponsible.

Senators and representatives, stay in session and:

Complete work on the oil profits windfall tax legislation. This is the money fuel needed to make much of President Carter's new energy program work.

Proceed rapidly with consideration and/or approval of the aspects of Carter's energy program that need congressional action. Movement is needed now on solving the energy crisis. Congress has resisted for six years already in joining with the White House to fashion a strong energy program; the nation is in the energy mess it's now in because of that delay. To delay longer is almost criminal; for sure, delay is reason to vote delaying congressmen and senators out of office.

Consider and approve or reject President Carter's new Cabinet appointments. All of them are well known and congressional consideration should not take long. Take action on them, so they and their departments will not linger in limbo but can move on with their programs.

In addition, there are numerous other bills and issues—Alaskan lands bill, the SALT II treaty—that Congress could make progress on during August, were senators and congressmen not wasting precious time at home. There was a time, when the nation was more settled and there was not so much coming down the pike, that Congress could justify taking the whole month of August off to escape Washington heat. But no longer.

Stay in session during August, Congress, and deal with our problems—problems that grow more severe daily. Congressmen and senators, be the leaders you said you were, stay in Washington and work.

It's the least you can do.

#### THE ADMINISTRATION REJECTS HOUSE REPUBLICAN LEADERSHIP'S PROPOSALS TO RESTORE HEALTH TO OUR ECONOMY

(Mr. RHODES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RHODES. Mr. Speaker, a little over 2 weeks ago the House Republican leadership unveiled its proposals for a \$36 billion tax cut to soften the impact of the oncoming recession and restore some health to our economy by helping to create more capital for use in the economy. The administration's response was a resounding "no way."

As recently as last Wednesday night when President Carter held his televised news conference, the President said he intended to continue the same economic, monetary, and budgetary policies that have helped to bring on this recession. Since then, however, it appears that the President may have gone through yet another of his now familiar reassessments. According to a column in this morning's Washington Post, the President is now considering the possibility

of a \$20 billion tax cut to take effect in January. If this is true, I do not know whether to cheer or cry. On the one hand, a \$20 billion tax cut in January is better than nothing. On the other hand, if that is all we can hope for, it will be another case of the Democrats charging to the rescue with too little and too late.

#### DEADLINE FOR THE TRANSBUS DESIGN FOR THE HANDICAPPED AND ELDERLY MUST BE EXTENDED

(Mr. ROYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROYER. Mr. Speaker, the recent firing of Secretary of Transportation Adams, coupled with the approaching October 1 deadline for the Federal mandate of the transbus design, compels me to speak out and request that the Acting Secretary of Transportation, W. Graham Claytor, Jr., extend that deadline.

In 1973 Congress, pursuing a laudable goal, mandated that buses purchased with Federal money be accessible to handicapped and elderly persons. Accordingly, the Department of Transportation embarked on an ambitious plan to design a new bus, known as transbus, which would meet these requirements. But the Department of Transportation's inconsistent policies to implement this goal over the past decade have left the bus manufacturers as well as the local transit authorities in disarray.

Eventually, the Department did settle upon an allegedly appropriate design and mandated that all buses purchased with Federal funds be transbuses. However, the first attempt by local transit authorities to purchase transbuses ended in disaster. Earlier this year, when a three-city consortium put out a bid for 530 transbuses, no company bid on the buses. The mandated low floor design is simply not technologically or economically feasible. Meanwhile, the bus companies were manufacturing advanced design buses incorporating most of the features of the transbus, except the low floor, but including wheel chair lifts which make them accessible to handicapped and elderly persons.

Mr. Speaker, with our current energy crisis, we simply cannot allow this situation to continue. In hearings before the Subcommittee on Surface Transportation we learned that America is producing about 3,000 fewer transit buses per year than are needed. If the October 1 deadline is not extended transit authorities will be precluded from purchasing advanced design buses with Federal funds even though there is no acceptable alternative. Accordingly Mr. Speaker, I strongly urge Acting Secretary Claytor to immediately extend the deadline for 3 years so that the advanced design buses can be purchased and a thorough study of the transbus design can be made.

#### A RESOLUTION TO EXPEL CONGRESSMAN CHARLES C. DIGGS TO BE INTRODUCED TODAY

(Mr. LUNGREN asked and was given permission to address the House for

1 minute and to revise and extend his remarks.)

Mr. LUNGREN. Mr. Speaker, this past Friday the chairman of the Ethics Committee first announced that the motion to censure the gentleman from Michigan (Mr. Diggs) would be taken up tomorrow.

In view of the grave importance of this matter, Congressman DANNEMEYER and I wrote a letter—cosigned by 40 other Members—to the Speaker and the chairman of the Rules Committee.

We asked that debate on this matter be extended for at least 3 hours.

We asked that a motion to expel be allowed to be considered as a substitute for the motion to censure.

We now understand that the Rules Committee will not act.

Mr. Speaker, we did not ask these things frivolously.

The committee's motion to censure will allow only 1 hour of debate.

One hour is not enough time to settle the outcome of a man's career, let alone set precedent for certain grave constitutional questions which may very well come up again this session.

The committee's motion to censure will not allow the question of expulsion to be considered.

Again, the record should be clear on this subject: First, because of its importance on its own merits; second, because it may be used as a guiding precedent in the not too distant future.

Mr. Speaker, in fairness to everyone involved and to allow a single up or down vote on the question of expulsion, we must alert the House to the fact that a resolution to expel will be introduced this afternoon for consideration of the House.

#### CASE OF REPRESENTATIVE CHARLES C. DIGGS

(Mr. DANNEMEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DANNEMEYER. Mr. Speaker, as I need hardly remind anyone this morning, the House of Representatives is scheduled to consider tomorrow, the case of Representative CHARLES C. DIGGS, JR., and his confessed misuse of House funds. Having had indication earlier this morning that the Rules Committee is not inclined to offer the full membership of this body an opportunity to vote on a motion to expel, as a substitute for a motion to censure, it seems to me that there is little alternative but to offer a privileged motion of expulsion.

One wishes, of course, that none of this had happened and that such a possibility would not have to be considered. However, the reputation of the House of Representatives itself is at stake. Under the Constitution, one of its responsibilities is oversight over the expenditure of public funds to see that they are not misused. To permit one of its own Members to use those very same funds for his own purposes without anything more in the way of penalty than censure and mandatory repayment is to cloud that reputation. What with confidence in public officials being as low as it is, we

cannot afford to leave the impression we either condone such behavior or are unwilling to punish it as severely as we would others guilty of a similar offense.

To make matters worse, the gentleman from Michigan, despite prior precedent, continues to vote while his conviction is on appeal. That being the case, anything short of expulsion suggests the trappings of punishment but not the substance.

#### SOME OF THE RESPONSES OF HOOSIERS TO PRESIDENT CARTER

(Mr. MYERS of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MYERS of Indiana. Mr. Speaker, last Wednesday evening the President prefaced his news conference with a request of the American people that they contact Members of Congress. I was home over the weekend, and remembering that the President 2 weeks ago last night read from some remarks that the American people had been telling him, I would like to share with the President some of the things that the people from Indiana told me in response to his request that they contact Congress. I share with the Members now some of these responses:

The Cabinet should have asked for the President's resignation.

Gasoline rationing is the moral equivalent to a bankrupt energy program.

Naming Hamilton Jordan as White House Chief of Staff is like naming Gomer Pyle Secretary of State.

I find it more and more difficult to listen to President Carter. Must he always take the best TV shows off the air?

Mr. Speaker, there are a number of others, but I will not take time to read them. The American people are responding to the President's request, and I do not think those responses are quite what the President had anticipated.

#### NO LAUGHING MATTER

(Mr. RUDD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUDD. Mr. Speaker, news reports today indicate that the Sandinista terrorists who deposed Nicaragua's elected government have officially requested military arms support from the United States.

Certainly the President should reject such overtures from the Castro-supported terrorists.

Journalists attending the meeting where the Sandinistas announced their U.S. arms request reportedly greeted the proposal with loud laughter.

However, it would be no laughing matter if the administration seriously considered the request.

It is the solemn duty of our Government to help maintain the stability and peace of Central America—not to give



encouragement, aid, and comfort to guerrilla brigands who are waging terror and mayhem against duly constituted governments of the people in our hemisphere.

**THE LATE HONORABLE JOHN B. BRECKINRIDGE**

(Mr. HUBBARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUBBARD. Mr. Speaker, about 11:30 o'clock last night mutual friends of the late Congressman John Breckinridge's and mine began to call me and inform me of his tragic and sudden death. I would be remiss if I did not join my colleague, the gentleman from Kentucky (Mr. PERKINS), the dean of our delegation, in expressing shock and sadness upon the death of John Breckinridge and extending to his widow, Helen, and the other members of his family my sincere sympathy.

It was in the summer of 1961 that John Breckinridge, then attorney general of Kentucky, gave me my first job in government as a law clerk in the attorney general's office in Frankfort.

As a freshman Congressman in 1975, it was John Breckinridge who, among others, was extremely kind and helpful to me. I am deeply saddened by his passing.

□ 1020

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. HUBBARD. I yield to the gentleman from Kentucky.

Mr. CARTER. Mr. Speaker, I want to join the gentleman in condolences for the late John Breckinridge. It was from the gentleman's words that I have just now learned that Mr. Breckinridge had a serious heart attack which took him away.

It was my pleasure to serve with the gentleman for several years in the House of Representatives. I found him to be a congenial gentleman and a man of high honor. I deeply regret this loss to our country.

I thank the distinguished gentleman for yielding.

**ANNOUNCEMENT BY THE SPEAKER**

The SPEAKER. Pursuant to the provisions of clause 3(b) of rule XXVII, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a record vote or the yeas and nays are ordered, or on which the vote is objected to, under clause 4 of rule XV.

After all motions to suspend the rules have been entertained and debated and after those motions to be determined by "nonrecord" votes have been disposed of, the Chair will then put the question on each motion on which the further proceedings were postponed.

**CALL OF THE HOUSE**

Mr. BADHAM. Mr. Speaker, I move a call of the House and make a point of order that a quorum is not present.

The SPEAKER. The gentleman is aware of the rules of the House and the Chair does not have to recognize the gentleman for that purpose at this time.

Mr. BADHAM. I realize that.

The SPEAKER. The gentleman is aware of that.

Mr. BADHAM. May I be recognized for that purpose, Mr. Speaker?

**FOR THE RELIEF OF NENANA, ALASKA**

Mr. SEIBERLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4811) for the relief of the city of Nenana, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4811

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in the municipal reserves, streets, and alleys shown on United States Surveys Numbered 1127, 1503, and 4026, except for the Alaska Railroad right-of-way one hundred feet on either side of the centerline of the existing Railroad mainline, are hereby conveyed to the city of Nenana, Alaska.*

Sec. 2. Subsection (b) of section 12 of the Act of January 2, 1976 (Public Law 94-204) as amended by the Act of October 4, 1976 (Public Law 94-456) and by the Act of November 15, 1977 (Public Law 95-178), is hereby amended to add at the end thereof the following new paragraph:

"Any provision of law to the contrary notwithstanding, if the Region, the Secretary, and/or the Administrator of General Services do not complete the nominations of lands referred to in subparagraphs (5) and (6) of this subsection by the dates set in subparagraphs I(C)(1)(b) and I(C)(2)(a) of the document referred to in this subsection, then, and in that event, these dates shall hereby automatically be extended by operation of this subsection for twelve months beyond the period set in section 3(a) of Public Law 95-178."

The SPEAKER. Pursuant to the rule, a second is not required on this motion.

The gentleman from Ohio (Mr. SEIBERLING) will be recognized for 20 minutes and the gentleman from Alaska (Mr. YOUNG) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Thank you, Mr. Speaker. I yield myself such time as I may consume.

Mr. Speaker, this is not a controversial matter, but it is one of considerable importance to the city of Nenana, Alaska, and to the Cook Inlet Regional Corp., one of the native corporations that was formed under the requirements of the Alaska Native Claims Settlement Act.

First, as to Nenana, which is dealt with in section 1 of the bill, the town of Nenana is on the Alaska Railroad line from Seward to Fairbanks. The townsite was laid out in 1917 by the Alaska Engineering Commission, which carried out such surveys and other work in connection with the development of the railroad. The townsite provided for streets, alleys, and municipal reserves, and these areas were dedicated to public use when the first lot in the townsite was sold,

pursuant to the Townsite Act of March 12, 1914.

So far, all this was in accord with the pattern of such townsite throughout the country. However, the other States and territories have had State or territorial laws providing that upon the sale of the first lot in a townsite, the land covered by the streets, alleys, and municipal reserves becomes the property of the town itself; but Alaska has not had such a law. As a result, there has been some confusion concerning the exact status of the lands in the streets, alleys, and municipal reserves in Nenana.

Now, the city of Nenana is in the process of moving forward with the building of a sewage collection and treatment system, as required under the Clean Water Act and other laws. They are having trouble in arranging the financing for this project because of the uncertainty about the title to the streets, alleys, and municipal reserves. What this bill does is quitclaim to the city all right, title, and interest of the United States in those areas.

Of course, this land, in fact all of the land in Alaska at one time belonged to the United States. The purpose of this is to clear up any possible claim that the United States has not transferred its interest in that land to the city.

The bill does exempt from this quitclaim, however, the lands which are being used by the Alaska Railroad, which of course is a Federal agency.

The second section of the bill deals with the problems faced by the Cook Inlet Regional Corp. This is the corporation which has been organized, under the mandate of the Alaska Native Claims Settlement Act of 1971, to represent the Natives of the Cook Inlet Region. That is the part of Alaska—including the Anchorage metropolitan area—which has been most heavily developed and urbanized. Thus, it is the part of Alaska in which it has been most difficult to identify sufficient unreserved Federal land to fulfill the entitlement of the Natives under the Settlement Act. In the 95th Congress, legislation was passed to deal with this problem by providing that the Secretary of the Interior, in connection with the Administrator of General Services, would locate and nominate Federal surplus or excess real estate which could be made available for the Native Corporation in exchange for Federal lands that the corporation would otherwise receive under the Settlement Act. The legislation provided that this must be done by July 15, 1979.

Unfortunately, the deadline was not met.

A recent report by the Bureau of Land Management offices in Alaska indicates that only about 5 percent of this entitlement has been conveyed or placed in the pool of properties available for the Native Corporation's selections. Other additional properties have been identified for possible inclusion in the pool, but even if all these properties were made available for selection, it is estimated that approximately 100,000 acres of its equivalent, will still remain to be fulfilled.

This delay is due in large part to the difficult time that the Department of the Interior has had in locating appropriate properties to place in the pool. It also appears that the processing of lands to be placed in the pool has been done in a lengthy and time-consuming manner.

If no remedial legislation is passed, Federal properties in Alaska could be disposed of under the provisions of the existing statutes, thus depriving the corporation of a valuable right. Accordingly, it could occur that several suitable properties would not be available for the fulfillment of the Secretary's and the Federal Government's obligation to the Native corporation.

Accordingly, section 2 of this bill extends the deadline for 1 year, that is until July 15, 1980.

The administration supports both sections of this legislation. As far as the second section is concerned, the Department of the Interior suggested that perhaps that extension of the deadline should be for 2 years rather than 1; they certainly did agree with our committee that the deadline should be extended so that the Cook Inlet Natives could receive their entitlement under the Settlement Act and the other congressional mandates.

As I said, the bill is not controversial, but it is important to fulfillment of congressional mandates as they affect these areas in Alaska.

I urge its passage and I reserve the balance of my time, Mr. Speaker.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 4811, a bill designed to solve two important problems in the State of Alaska.

This legislation results from a series of unfortunate circumstances whereby the city of Nenana, Alaska, found itself hampered in an attempt to build an EPA-mandated water and sewer system to protect the health of city residents.

When the original Nenana townsite was laid out by the former Alaska Engineering Commission, the survey showing the location and boundaries of various municipal reserve lands was never recorded. Subsequent surveys which added to the townsite were also left unrecorded. Unfortunately, this error escaped the notice of the Federal Government when the townsite was granted to the city.

At present, any sewage which is not discharged into private septic tanks flows directly into the Tanana River. Although this is allowed under a temporary NPDES permit granted by the EPA, the permit will expire in 1981. Therefore, the city wishes to construct a water and sewer system which will protect the health of the residents and will also prevent environmental damage to fish and wildlife resources in the area, many of which are used for commercial and subsistence purposes. Such a system will require the use of the streets and alleys in Nenana. Without clear title to those streets, the city would find itself subject to a series of nuisance suits. This bill re-

solves that problem by granting title to municipal reserves, streets, and alleys directly to the city of Nenana.

The other problem covered by the bill was identified during recent congressional debate on the Alaska lands issue. Cook Inlet Region Inc., an Alaska Native corporation established under the Alaska Native Claims Settlement Act, is in the process of selecting its land grant in the State of Alaska. Because of the complex land ownership pattern in the Cook Inlet area, the corporation has had to move slowly and to work carefully with the State, the Federal Government, other Native groups, and private owners. Unfortunately, the land reserved for selection will shortly be released from its "holding pattern." Cook Inlet has asked and others involved have agreed, that the holding pattern be extended for 1 additional year to resolve the selection issues remaining. The second section of this bill will provide that 1-year extension.

This bill was unanimously passed by both the Subcommittee on Public Lands and the Committee on Interior and Insular Affairs. It is agreed to by all parties involved, including the administration. The second section of the bill, dealing with Cook Inlet, has been approved by the the Senate Energy Committee as a separate piece of legislation and also by this body as part of the Alaska lands bill. Including it here is simply a matter of insuring a quick resolution to a pressing problem.

Mr. Speaker, this is a good bill that deserves support. I hope that all Members will do so.

Mr. SEIBERLING. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Alaska. I gladly yield to the gentleman from Ohio.

Mr. SEIBERLING. I think we should recognize the gentleman from Alaska has made a strenuous effort to protect the rights of the city of Nenana and the Cook Inlet Natives and to expedite this bill. I want to say the reason why we have not provided for extending this for 2 years instead of 1 is so as to put the pressure on the Department of the Interior to do its end of the job expeditiously and I hope they will take that as a message that we want more expedited action in fulfilling the Federal Government's promises to the Natives.

□ 1230

Mr. YOUNG of Alaska. Mr. Speaker, I appreciate the gentleman's efforts on behalf of the city of Nenana.

Mr. Speaker, I reserve the balance of my time.

Mr. SEIBERLING. Mr. Speaker, I have no further requests for time on this side. I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio (Mr. SEIBERLING) that the House suspend the rules and pass the bill, H.R. 4811, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill for the relief of the city of Nenana Alaska, and to amend the Act of January 2, 1976, as amended, and for other purposes."

A motion to reconsider was laid on the table.

#### TO ESTABLISH THE BOUNDARY LOCATION OF ANGELES NATIONAL FOREST

Mr. SEIBERLING. Mr. Speaker, I move to suspend the rules and pass the bill, H.R. 3361 to establish the true location of a portion of northerly boundary of the Angeles National Forest, located in Los Angeles County, California, on the common line between sections 16 and 17, township 4 north, range 10 west, San Bernardino meridian, and to establish the center quarter corner of said section 16.

The Clerk read as follows:

H.R. 3361

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. (a) The north one-half of section 16, township 4 north, range 10 west, San Bernardino meridian, was conveyed by the United States to Harry M. Miller by patent recorded August 13, 1923, in book 2511 at page 336, official records of Los Angeles County as to a portion thereof, and the remainder to Herbert Colbeck by patent recorded December 4, 1923, in book 2883 at page 144, official records of said county; and

(b) The south one-half of section 16 and section 17 of said township and range are now part of the Angeles National Forest. A question has arisen as to the true location of the common boundary of the Angeles National Forest and the private lands in said section 16; and

(c) The section corners and quarter-corners of said section 16 were established by the United States Government surveyors and depicted upon the official plats of said township approved by the United States Surveyor General on April 24, 1905, and December 4, 1917; and

(d) The southeast, northeast, and northwest corners and the north and east quarter-corners have been recovered; however, the southwest corner and the south and west quarter-corners of said section 16 have been thoroughly searched for on several occasions by both public and private surveyors without success; and

(e) The Los Angeles County surveyor, while running the boundary of the Angeles National Forest in 1933, being unable to find the original west quarter-corner of said section 16, set a monument marked "County Surveyor's Monument Forest Reserve Cor. R.E. 62 J-249-FB", at the theoretically correct location of said west quarter-corner to wit: one-half mile south of the found northwest corner and one mile west of the found east quarter-corner of said section 16; and

(f) Numerous surveyors and private parties have accepted said county surveyor's monument marked "Forest Reserve Corner" for the past forty years as the true west quarter-corner of said section 16 and have subdivided, resubdivided, and improved such private lands by constructing houses, roads, wells, utilities, and pipelines within the north half of said section in relation thereto; and

(g) There are currently numerous parcels of land in private ownership within the north half of said section 16, the boundaries



of which would be seriously disrupted should the west quarter-corner of said section be reestablished in any location other than that of the 1933 county surveyor's monument marked "Forest Reserve Corner".

Sec. 2. (a) In order to dispel any uncertainty and to insure that the boundaries of said private land not be needlessly disrupted, it is hereby found and declared that the 1933 county surveyor's monument marked "County Surveyor's Monument Forest Reserve Cor. R.E. 62 J-249-FB", which was set at a point one-half mile south of the north-west corner and one mile west of the east quarter-corner of said section 16, as said corners and monument are shown on the county surveyor's map B-745 on file in the Office of the County Engineer of the County of Los Angeles, is at the true location of said west quarter-corner as originally set by the Government Land Office Survey or in 1912 and depicted upon the plat of township 4 north, range 10 west, San Bernardino meridian, approved December 4, 1917.

(b) It is further found and declared that the south line of the north half of said section is a line connecting the east and west quarter-corners hereinabove mentioned and that the center quarter-corner of said section is located at the mid-point of the south line of the north half of said section 16 as hereinabove established.

The SPEAKER. Pursuant to the rule, a second is not required on this motion.

The gentleman from Ohio (Mr. SEIBERLING) will be recognized for 20 minutes, and the gentleman from Alaska (Mr. YOUNG) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a bill which is simple but important. The same bill was passed here in the House during the last Congress, but died when the congestion of proposals in the Energy and Natural Resources Committee of the other body blocked it from coming to a vote.

The bill corrects a situation which has arisen from two conflicting surveys of the boundary of a section of the Angeles National Forest, in California. Both surveys were done by Government entities, so the fault, if any, is a fault of Government.

Because of the conflicting surveys, a serious cloud has been cast on the title of a considerable number of private parties whose holdings are "tied" to the boundary of the national forest.

What this bill does is to affirm the boundary of the forest, and therefore the boundaries of the private lands which are outside the forest but which are "tied" to its boundary, in accordance with the survey upon which all parties have relied since 1933.

Let me briefly outline the background of this measure, for the information of the House:

In December 1912, the U.S. Land Office made the first boundary survey of the relevant section, setting notched stone and iron posts as monuments.

The Los Angeles County Surveyor made a retracement survey in 1933 of a portion of the section. Being unable to recover any evidence of the west one-fourth corner, the surveyor set a monument with a brass cup marked "County Surveyor's

Monument—Forest Reserve Corner R.E. 62 J-249-FB." The posted forest boundary follows this survey line. This J249 monument became the basic reference point used when section 16 was subdivided. The 1959 U.S. Geological Survey "Juniper Hills" quadrangle map depicts the forest boundary as the line from the NW corner of section 16 to J249. These maps in conjunction with the posted forest boundary have been used by the original and succeeding property owners for over 40 years.

The problem which necessitates legislation stems from a 1972-73 survey by the Los Angeles County engineer for a Juniper Hills area master highway plan. The surveyor was unable to locate corner markers and set new and quite different corner markers.

Unless there is legislation such as this, and if the new corners set by the county engineer are established as the official corners for section 16, it will not only affect the individual lot boundaries, but it will place 13 homes, 11 wells, 6 garages and numerous outbuildings on the property of others. That would also change the location of the posted Angeles National Forest boundaries. The relocation of the property lines would destroy building sites for which the land has been purchased; many parcels would be relocated into ravines which are adjacent to property boundaries; and many easements for roads and utilities would become worthless.

When the Subcommittee on Public Lands held a hearing on this bill earlier this month, a representative of the private homeowners involved testified that because of the uncertainty of the surveys involved here, the title insurance companies will not issue title insurance for the lands involved; as a result, there is no practical way for the lands to be sold or purchased.

Stripped of all technical discussions concerning the problem, the bill amounts to a boundary line agreement between the United States and the private owners. Admittedly, there exists a question as to the correct location as to such boundary lines; this bill simply adopts into law what has actually existed on the ground for 45 years without cost to the United States or the private owners. The private owners have no desire to acquire land owned by the United States; they simply ask Congress to cut through all the technical arguments and redtape and set to rest, by a very commonsense approach, a problem not of their making. As a matter of fact, the United States has acquiesced in the location of the boundary lines of the Angeles National Forest as established by the 1933 survey for 45 years, both by affirmative acts and by its silence in not making known to the public that there was a problem.

Of course, because of the sovereign immunity of the United States, the doctrine of adverse possession does not apply here—otherwise the private landowners might be found by a court to have already gained the boundary which would be established by this bill.

Given all this, Mr. Speaker, I suggest that it is appropriate and right that the

House of Representatives again pass this bill, as it passed the same bill in the last Congress. I regret that the Senate did not act on this matter in the last Congress, and I have reason to believe that there is a much better likelihood that they will do so in this Congress; but in any event, I believe that we should pass the bill, in the interest of resolving this matter equitably and expeditiously.

Mr. Speaker, let me say that the National Forest Service has proposed to conduct a resurvey of this particular boundary and to have it completed by sometime this fall. That resurvey will cost them an estimated \$10,000 and if it should result in a still different boundary, it could cost the property owners \$100,000 in court and other legal fees to try to unsnarl the mess that was created by an original mistake of a government surveyor in the first place. If we can enact this bill promptly these expenses may be avoided.

The amount of Federal land here is very small. As I recall, it is around 8 acres. It is not land of any particular value and, therefore, this bill would not cause a loss to the United States, either financially or otherwise, and would bring a considerable savings to the property owners.

It is important that the Senate act promptly in order that these property owners may have the same rights as others to convey their property free of this cloud on their title.

I certainly urge acceptance of this bill.

The SPEAKER. The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, I again compliment the chairman of the subcommittee for bringing forth this important legislation. Unfortunately, it was needed and it will solve a problem, will save the property owners in this small area a great deal of cost in dollars. It was the same legislation this body passed last year and because of the lateness of the session it was delayed and not passed into law.

Mr. Speaker, at this time I yield 5 minutes to the gentleman from California (Mr. THOMAS), the author of the bill, H.R. 3361, and the gentleman who really has played a major role in the passage of this legislation.

Mr. THOMAS. Mr. Speaker, I thank the gentleman from Alaska for yielding. I certainly will not take the 5 minutes, because the gentleman from Ohio, the subcommittee chairman, has outlined almost totally and absolutely accurately all of the problems facing these individuals in a predicament not of their own making, but actually a problem created by Government.

I realize that a legislative remedy is an extreme remedy, but given the alternative, I think it is the appropriate remedy.

The approximate 8 acres that we are talking about that are in dispute are on a hill slope of about 30 degrees and are of no practical use to anyone.

The idea that at least 13 homes are going to be displaced along the boundaries if we either accept the newer boundaries were discovered in a private survey in 1977 that were surveyed by

Los Angeles County in 1973 or expending the money for a new survey with no guarantee that they will not come up with a third line or agree to the 1973 line is, in fact, a waste of everyone's time and the taxpayers' money. I feel assured that the House will move rapidly on this measure since it is not a new question before us. In addition, both the California Senators fully understand and are in support of a legislative remedy of the problem that has been created by Government.

□ 1240

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MOORHEAD).

Mr. MOORHEAD of California. Mr. Speaker, I rise to support H.R. 3361 since I feel it is the best way to resolve a very difficult situation that is causing uncertainty and hardship to many residents of the Juniper Hills area.

This bill provides an opportunity to resolve a boundary conflict and survey discrepancy resulting from a 1973 survey which would alter boundaries that have been used for 45 years. To accept the 1973 survey would place 13 homes, 11 wells, 6 garages, and numerous outbuildings on the lands of others, destroy longstanding land descriptions, make road and utility easements worthless and keep boundaries on vacant property in question until the dispute is settled possibly through yet another survey.

It simply does not make good common-sense to delay resolution of this problem any longer since passing this legislation means that we would be accepting the boundaries used by the people when they purchased their property over the last 45 years. The private owners have no desire to acquire land owned by the United States, they are simply asking that the redtape and technical argument be resolved at this time on a problem that was not of their making.

The basic purpose of the bill is to have the United States agree that the 1933 county surveyor's monuments should indicate the permanent boundaries of the disputed area. Admittedly there exists a question as to the correct location of the boundary lines, but the bill adopts into law what has actually existed on the ground for 45 years and avoids further legal and surveyors costs to the Government and private owners.

Surveyors have been unable to recover the original west quarter marker of Section 16 but this was replaced by the Los Angeles County surveyor in 1933. Some of the 1933 markers were destroyed in a 1953 forest fire but the Forest Service has replaced them in their same locations. Deeds issued on subdivided land over the years were based on boundaries accepted by the Forest Service until the discrepancy of the 1973 survey was discovered in 1977.

The practical effect of the existence of the questionable boundaries is that private owners have been unable to sell and refinance their homes. Prospective buyers and lending institutions are not anxious to become involved in this un-

resolved problem, and homeowners are not able to obtain title insurance under these circumstances.

This bill H.R. 3361, would resolve the problem now. Mr. Speaker, I ask for an "aye" vote.

#### GENERAL LEAVE

Mr. SEIBERLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill under consideration, H.R. 3361, and also on the bill previously passed today by the House, H.R. 4811.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. SEIBERLING. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio (Mr. SEIBERLING) that the House suspend the rules and pass the bill, H.R. 3361.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### SAFE DRINKING WATER ACT AUTHORIZATIONS

Mr. WAXMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3509) to extend for 3 fiscal years the authorizations for appropriations under the Safe Drinking Water Act.

The Clerk read as follows:

H.R. 3509

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. (a) The first sentence of subsection (e) of section 1442 of the Public Health Service Act (42 U.S.C. 300j-1(e)) is amended by striking out "and" and substituting a semicolon and by inserting the following before the period at the end thereof: "\$21,405,000 for the fiscal year ending September 30, 1980; \$30,000,000 for the fiscal year ending September 30, 1981; and \$35,000,000 for the fiscal year ending September 30, 1982".

(b) The second sentence of such subsection (e) is amended by striking out "and 1979" and substituting "through 1982".

SEC. 2. (a) Paragraph (7) of subsection (a) of section 1443 of the Public Health Service Act (42 U.S.C. 300j-2(a)(7)) is amended by striking out "and" and by inserting the following before the period at the end thereof: "\$29,450,000 for the fiscal year ending September 30, 1980; \$32,000,000 for the fiscal year ending September 30, 1981; and \$34,000,000 for the fiscal year ending September 30, 1982".

(b) Paragraph (5) of subsection (b) of such section is amended by striking out "and \$10,000,000" and substituting "\$10,000,000" and by inserting the following before the period at the end thereof: "\$7,795,000 for the fiscal year ending September 30, 1980; \$18,000,000 for the fiscal year ending September 30, 1981; and \$21,000,000 for the fiscal year ending September 30, 1982".

SEC. 3. Paragraph (2) of subsection (f) of section 1441 of the Public Health Service

Act (42 U.S.C. 300j(f)) is amended by striking out "1979" and substituting "1982".

The SPEAKER. Pursuant to the rule, a second is not required on this motion.

The gentleman from California (Mr. WAXMAN) will be recognized for 20 minutes, and the gentleman from Kentucky (Mr. CARTER) will be recognized for 20 minutes.

The Chair recognizes the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, H.R. 3509 is a simple authorization bill that would extend the authorities of the Safe Drinking Water Act for 3 fiscal years, 1980 through 1982.

Our work of providing safe drinking water to all Americans is just beginning. Federal interim primary drinking water regulations became effective in June of 1977. To date, some 41 States and territories have assumed primary enforcement responsibility over their public water systems. This means that these States are enforcing Federal regulations pertaining to coliform bacteria, several inorganic contaminants and a few organic contaminants. Several other States are expected to attain primacy this year.

Our sources of drinking water are contaminated by a number of point sources such as industrial effluent discharge, leachate from waste dumps, and non-point sources of contamination which come from pesticide residues from agricultural runoff and heavy metal residues from urban runoff. The Environmental Protection Agency is in the process of developing an integrated program to attack these environmental insults which threaten drinking water.

The funding levels in this bill assure the continuation of the Environmental Protection Agency's drinking water programs that are just getting off the ground. Section 1 of the bill provides funding to continue the Agency's pollution abatement and control activities which encompass the determination of human exposure to water borne contaminants and attendant health risks; the establishment and implementation of national primary drinking water regulations; the development of revised primary drinking water regulations; the provision of technical assistance and guidance to the States and the training of personnel; and the development of an effective and balanced underground injection control program.

During the past 2 years the Agency has been working on several studies mandated by Congress in the 1977 amendments to the Safe Drinking Water Act. These studies focus on: health effects of the reaction of chlorine and humic acids which forms trihalomethanes several of which are carcinogenic; polychlorinated biphenyl contamination of actual or potential sources of drinking water; and the anticipated costs of compliance with interim and revised national primary drinking water regulations and methods by which States and units of local governments can implement those regulations. All of these studies will be completed shortly and



will assist the Environmental Protection Agency in the performance of its mission, and will help Congress determine how States are progressing in meeting drinking water regulations.

For purposes of section 1 \$21,405,000 would be authorized for fiscal year 1980, \$30 million for fiscal 1981, and \$55 million for fiscal 1982.

Section 2 of the bill would provide authorizations for public water system supervision grants. This program enables the Agency to provide start-up and continuation grants for States that assume primacy over their public water systems. The program is necessary to assist States in attaining and maintaining the essential components of a drinking water program. The authorization would provide \$29,450,000 for fiscal 1980, \$32 million for fiscal 1981, and \$34 million for fiscal 1982.

Additionally, this section would provide authorizations for grants to States to assist them in formulating underground water source protection programs. Recently, the Agency designated 22 States as requiring underground injection control programs to protect ground water. By the end of 1980, all States will be so designated. The bill would authorize \$7,795,000 for fiscal 1980, \$18 million for fiscal 1981, and \$21 million for fiscal 1982.

Finally, the bill also would authorize funds to be utilized by the Administrator to help remedy an emergency situation faced by a municipality or public water system that is beyond its financial or technical capability to remedy without such assistance. Eight million dollars would be authorized for fiscal years 1980 through 1982 for this purpose.

Mr. Speaker, we must demonstrate to the States our commitment to assure for our citizens the provision of safe drinking water. The mechanism Congress envisioned in 1974 when the Safe Drinking Water Act was enacted is in place and is working. However, more work needs to be done to improve the program. The States need guidance and assistance in establishing and running their programs and more work is needed in identifying and in assessing the health effects of hundreds of contaminants that find their way into our sources of drinking water. Also, the Center for Disease Control reports that there are still more than 3,000 waterborne illnesses per year in this country. The Subcommittee on Health and the Environment is going to hold hearings in the near future on a number of difficult issues that face the Environmental Protection Agency and the States in their joint effort to assure the provision of safe drinking water. Of primary interest will be the problems faced by small systems in attempting to meet drinking water standards.

Mr. Speaker, this bill would enable the EPA and the States to continue to provide safe drinking water for the people of this country. I respectfully urge my colleagues to support H.R. 3509.

Mr. VOLKMER. Mr. Speaker, will the gentleman yield?

Mr. WAXMAN. I am pleased to yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, let me ask the gentleman, how many deaths did the Center state were due to drinking water? I believe the gentleman mentioned that in his presentation.

Mr. WAXMAN. Mr. Speaker, the Center for Disease Control reported there are still more than 3,000 waterborne illnesses per year in this country.

Mr. VOLKMER. That is 3,000 waterborne illnesses?

Mr. WAXMAN. The gentleman is correct.

Mr. VOLKMER. But we do not know how many deaths have occurred as a result of drinking water?

Mr. WAXMAN. I do not know that.

Mr. VOLKMER. Is there any way that we could find out?

Mr. WAXMAN. Perhaps we could inquire of the Environmental Protection Agency. They might have the statistics.

Mr. VOLKMER. All right. Can the gentleman tell me, is there anyone who knows approximately what it is going to cost ultimately to implement the new regulations that are being proposed?

Mr. WAXMAN. Mr. Speaker, we do not know the cost of the proposed new regulations, but the subcommittee is watching those new regulations with a great deal of interest. There are members of our subcommittee who are concerned about two drinking water regulations; one member in particular introduced legislation that would prohibit those regulations from taking effect.

Before those regulations take effect, we will hold oversight hearings on them.

Mr. VOLKMER. I would appreciate that.

Mr. WAXMAN. One of the key questions that will be in our minds will be the cost of those regulations, as well as the benefits we will receive from the regulations.

Mr. VOLKMER. Mr. Speaker, that is exactly my concern. There have been some figures used in my State which show theoretically if the charcoal-type system was used, it would cost upward of \$1 billion for those cities. That applies to cities over 75,000, and it would cost this amount to implement that. Then we might get little benefit because of the fact, as far as we know, in the last 4 or 5 years there have been no deaths attributed to drinking water in the State, and yet we are going to spend this kind of money.

So although I do not disagree that there is a need for identifying pollutants within the drinking water, I do seriously question whether or not the benefits are going to be worthwhile as far as the cost is concerned.

Mr. Speaker, I appreciate the subcommittee's looking into that matter.

Mr. WAXMAN. Mr. Speaker, I appreciate what the gentleman is referring to, and that is the cost of those particular regulations that would apply to local governments.

Mr. VOLKMER. Yes. And as far as what is going to be done and as to the benefits received, if we do not have re-

lated illnesses and related diseases, then I question the necessity of also bringing on this new type of filtration.

Mr. WAXMAN. Mr. Speaker, I share the gentleman's concern, and our subcommittee is going to look very carefully at these regulations before they go into effect.

Mr. VOLKMER. Mr. Speaker, I thank the gentleman.

Mr. CARTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, prevention and health are two words which have become strongly linked in the past decade. Clearly, prevention of illness is a more effective means of promoting continued good health than remedial treatment following the onset of disease. As a physician, I have supported legislation which is preventive in nature. The Safe Drinking Water Act is one such important measure, designed to safeguard the health of Americans by preventing their exposure to unsafe drinking water. Under this law, the Environmental Protection Agency and States are encouraged to work together in insuring a safe supply of drinking water.

This bill, H.R. 3509, provides for a simple extension of the authorities of the Safe Drinking Water Act for 3 years. I support H.R. 3509 because of its preventive nature, and I urge that it be approved expeditiously.

Mr. Chairman, our supply of drinking water is something many of us take for granted. We simply turn a tap and draw a glass. But the safety of this water is not something we should take for granted. Not when more than 700 organic chemical contaminants have been identified in some sources of drinking water. Moreover, we hear frequent reports of incidents in which toxic chemicals have been discovered in drinking water supplies. Just recently in California, high levels of a toxic pesticide were found in drinking water and irrigation wells. The pesticide had been banned from use in that State for the past 2 years. Clearly, findings like this indicate the need for continued monitoring of our drinking water supplies.

The Safe Drinking Water Act grew out of concern over the safety of our drinking water supply. That was in 1974, when the number of identified organic contaminants was 66. Today the number stands at over 700, and it continues to grow. Clearly, we must reinforce our original commitment to assuring a safe quality of drinking water. Therefore, I urge prompt approval of this bill to safeguard the health of the American public by protecting its drinking water supply.

□ 1250

Mr. Speaker, I would also say that I included in this bill \$8 million for taking care of places such as the Valley of the Drums in Louisville, Ky., where people have placed contaminants from their factories, and the identity of these people cannot be immediately found. We have another such situation existing near Buffalo, N.Y., where many people have become ill from toxic substances which have been buried beneath their homes,

prior to the building of their homes, of course, and as a result of this there were many miscarriages and many of the youngsters born in that neighborhood had many deformities.

I included this \$8 million in this legislation to help in alleviating these conditions, but, actually, Mr. Speaker, this is only a small amount. It will take a great deal more money to clear up this situation throughout our country.

A great many pure water supplies have been contaminated by numerous "Valleys of the Drums" throughout our country. The \$8 million authorized will not nearly be enough—but it will be a start—I urge a vote for pure drinking water.

Mr. WAXMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. McCLODY).

Mr. McCLODY. I thank the gentleman for yielding.

Mr. Speaker, I appreciate the cooperation to date of my colleague from California, Mr. HENRY WAXMAN, and my colleague from Kentucky, Dr. TIM LEE CARTER, in consideration of problems of my constituents related to the presence of barium found naturally in public drinking water supplies.

The Safe Drinking Water Act provided that standards should be established by the Environmental Protection Agency following scientific studies by the National Academy of Sciences or another independent scientific organization. However, it was also provided in this statute that the EPA could establish a standard for a questioned substance which "in the judgment of the Administrator, may have any adverse effect on the health of persons."

Mr. Speaker, the scientific studies which seem to be required under the provisions of the statute appear not to have been met or at least have been insufficiently met—in my view. According to a report issued by the National Academy of Sciences in 1977 entitled "Drinking Water and Health" the subject of barium in drinking water was very equivocal and indefinite insofar as posing any specific hazard to human health.

It is my understanding that the standard adopted by the Federal EPA of 1.0 mg/l of barium is derived from a 1962 standard established by the Public Health Service. That standard was established not on the basis of studies made with drinking water but were based upon studies related to the presence of barium in the air and these studies were thereafter translated into a standard applicable to drinking water.

Mr. Speaker, it would seem to me that to establish and impose a standard with which the communities of Cary, Algonquin, Burlington, Crystal Lake, Hampshire, St. Charles, Wauconda, and West Dundee in my congressional district are required to comply, some more valid scientific studies should be conducted and empirical data should be secured upon which a standard might thereafter be developed. With such a valid standard, I am confident the officials of the communities in my district would thereafter be willing and anxious to comply.

Mr. Speaker, I therefore request that oversight hearings be held at the earliest possible date in order that we may work together with the U.S. EPA to make sure that drinking water standards are reasonably accurate and necessary. I agree that the ideal is to be ultrasafe if this is economically feasible. But for small communities up to 15,000, the high cost of treatment is illogical if there is doubt that this is really necessary in order to preserve and maintain good health. At present there appears to be fairly widespread doubt among knowledgeable scientists that the low level of 1 milligram per liter of barium presently required by the U.S. EPA is really necessary. Some feel that 4.5 or 5 milligrams per liter of barium would be within safe limits. My constituents are disturbed at being forced to comply with regulations based on information which is not generally accepted. Since at present there are no Federal or State grants available to them, this compliance would be at burdensome costs.

You may be aware that there is a barium treatment which is reasonable in cost, water softening by use of sodium. This process would be financially feasible for a small community, it is true. However, the major health problem suspected to be related to barium ingestion is a possible cardiovascular effect evidenced by hypertension. There is mere speculation of such an effect. As many of you may also be aware, it is an accepted fact that the so-called remedy, salt addition to the water, increases hypertension. Thus, the low-cost reasonable remedy presently known, zeolite or salt addition, appears to be worse than the original, barium. Thus, my constituents are rightly resisting the solution of water softening by means of zeolite or salt addition. Other solutions for removal of barium involve digging another well, building a treatment plant utilizing lime softening and hiring a full-time operator, or adopting some other potentially expensive remedies.

Mr. Speaker, I appreciate this time to briefly explain some of the real problems faced by small communities in meeting safe drinking water act regulations and hereby request oversight hearings during or following the recess. I believe we should be reasonably sure requirements are necessary and we should also make it financially feasible for small communities to comply if it is necessary.

Mr. WAXMAN. Mr. Speaker, Will the gentleman yield?

Mr. McCLODY. Mr. Speaker, I am pleased to yield to the chairman of the subcommittee.

Mr. WAXMAN. Mr. Speaker, I have enjoyed working with the gentleman from Illinois and have been most impressed with his knowledge of the difficult question of the health effects of the ingestion of barium in drinking water. I am very sympathetic to the plight of small communities such as Cary, Ill., which, in order to comply with the existing State and Federal standard, must make substantive financial investments. I agree with the gentleman that additional research is needed

to determine the health effects of long-term ingestion of low levels of barium.

If the gentleman will yield further, I would like to assure the gentleman from Illinois that oversight hearings of our subcommittee will be conducted as soon as possible—with the likelihood that at least one of the hearings will be held in an area convenient to the gentleman's congressional district in Illinois. Meanwhile, it is my hope that other scientific research studies will be conducted and that empirical data will be gathered which will either confirm the adequacy of the existing standard or demonstrate that a new standard should be set which assure safe drinking water for water supply systems such as that in Cary, Ill., and other communities in the gentleman's Illinois district—as well as elsewhere in the Nation. I am very aware of the plight of the small communities in particular, which are now confronted with the requirements of the Safe Drinking Water Act and the need for meeting a standard of water quality by 1981. Some further consideration may be needed to determine whether to delay that date, where the risk to human health posed by the contaminant is minimal, the expected cost of a water treatment facility is beyond the capability of the communities, and the community has demonstrated that it has acted in good faith to comply with the standard, but was unable to do so.

Mr. McCLODY. Mr. Speaker, I appreciate the chairman's assurances, and I wish to indicate my support of this legislation.

Mr. WAXMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from South Dakota (Mr. ABDNOR).

Mr. ABDNOR. Mr. Speaker, I thank the gentleman from California and I thank the distinguished chairman for his time and his staff's time in reviewing this legislation. It is my understanding the Subcommittee on Health and the Environment will hold oversight hearings later this year on the Safe Drinking Water Act.

Mr. WAXMAN. Yes; the subcommittee is in the process of examining issues relating to the implementation of the act in preparation for oversight activities.

Mr. ABDNOR. Is it the subcommittee's intent to give particular attention to the difficulties experienced by smaller systems in complying with the act?

Mr. WAXMAN. Yes; a primary issue for the subcommittee will be problems faced by small systems in attempting to meet drinking water standards.

Mr. ABDNOR. I understand EPA is conducting analysis of the financial implications of the standards of each level of government—Federal, State, and local.

Mr. WAXMAN. That is correct. We are awaiting receipt of a nearly completed study mandated by the Safe Drinking Water Act Amendments of 1977 which will assess the anticipated costs of compliance with interim and revised national drinking water regulations and the anticipated costs to States and units of local government in implementing such



regulations. This report, in conjunction with oversight hearings, should be a valuable tool in helping us assess the problems confronting small systems and in determining appropriate mechanisms to assist small systems in meeting drinking water standards.

Mr. ABDNOR. I thank the chairman and look forward to the subcommittee's full consideration of a number of issues including: First, financing of water system improvements in those instances where such improvements would be cost prohibitive to the users; second, attention to the needs of the millions of Americans who obtain their water from sources which are not covered by the act; and third, insuring that the standards are reasonable from the standpoint of costs and benefits.

The importance of an adequate supply of good quality water for our citizenry is paramount. The Safe Drinking Water Act is a landmark in that respect; but it seems to me that, at least in terms of experience in my State, the existing program leaves much to be desired.

I am, therefore, encouraged to have the chairman point out that in passing H.R. 3509 today, to extend the Safe Drinking Water Act, it is not our intent to close the book on this important issue.

Mr. WAXMAN. I will be more than happy to work with my colleague from South Dakota to examine the specific issues he has raised. I feel it is important to hear the views of those in South Dakota who are confronted with problems in attaining drinking water standards. Of course, I would welcome your testimony about the drinking water situation in South Dakota. I look forward to working together on this issue.

Mr. ABDNOR. Again, I thank the chairman; and I request permission to revise and extend my remarks for the purpose of explaining a measure I have introduced today to amend the Safe Drinking Water Act and the Rural Development Act. Hopefully, this legislation would address the inadequacies in the program and facilitate the delivery of good quality drinking water to all Americans.

When the Safe Drinking Water Act was before the House in 1974, I was prepared to offer an amendment to protect the interests of my constituents and to promote a cooperative regulatory atmosphere.

That amendment stated:

A public water system which has made application under a program of Federal financial assistance to complete improvements which would bring the system into compliance with this Act shall not be required to comply with the provisions of this Act until the completion of such improvements or until the Administrator shows that the system can comply without such assistance and without unreasonable cost to the users.

I was dissuaded from offering the amendment by members of the committee who assured me that the exemptions and variances allowed under the act were sufficient to address my concerns. It has become clear, however, that is just not the case; and Assistant EPA Administrator Jorling has acknowledged as much.

As pointed out in the minority views contained in the committee report (H. Rept. 96-186, p. 14), Mr. Jorling has characterized as "needed" an amendment to extend exemption compliance deadlines, thus providing some systems, particularly the smaller ones, with sufficient time to solve their financial problems and improve their treatment facilities.

Still, my original amendment is superior to that suggested by the Assistant Administrator because it would allow case-by-case extensions when justified, rather than a broad and arbitrary extension based on time instead of need.

According to South Dakota's water hygiene administrator, Mark Steichen, by early June about two-thirds of the 400 community water systems in our State had been tested for compliance with maximum contaminant levels (MCL's) for inorganic chemicals. Of those tested to that point, 40, or about 15 percent, had drinking water which exceeded the standards. Others had received notice from EPA of violation of regulations pertaining to bacteriological analyses, and more violations are expected as sampling for radiological contamination proceeds.

Perhaps my colleagues noted the recent article headlined "Town in Alaska Shuts Sewage Plant, Dares U.S. To Do Something About It," which appeared on page A3 of the July 25 edition of the Washington Post. Sadly, the incident it relates is all too typical of the conflict which has been fostered by the regulatory philosophy which prevails at EPA and in the statutory authorities the Congress has provided.

The Skagway, Alaska, mayor and town council do not believe the benefits of the \$3.5 million wastewater treatment plant they have been forced to construct to serve their community of 870 people justify the diesel fuel it will consume or the expense of operating the facility. For having the courage of their convictions, the council members face a possible \$10,000-a-day fine; and EPA is pressing the matter in Federal court.

Under the existing provisions, I fear it is only a matter of time before similar confrontations develop with respect to the Safe Drinking Water Act; and that is one reason I introduced legislation in the 95th Congress to amend the act. I have reintroduced that measure today.

The Institute for Rural Sanitation Services commented on my bill in the December 8, 1978, issue of their newsletter, FYI:

ENVIRONMENTAL PROTECTION AGENCY—FARMERS HOME ADMINISTRATION COORDINATION ON RURAL WATER PROJECTS; IS THERE HOPE?

It has long been evident to those in poor, rural communities that money for small water and sewer projects is pretty hard to come by. The U.S. Environmental Protection Agency (EPA), under the Federal Water Pollution Control Act, has been providing grants for the establishment of wastewater treatment works only since 1972 and has had full responsibility for drinking water quality since 1974. The Farmers Home Administration (FmHA), under the Consolidated Farmers Home Administration Act and the Rural Development Act, has been providing grants

and loans for community water and wastewater facilities since 1961. The two agencies really never have been in a position to consolidate their efforts to serve the rural poor—until now.

EPA and FmHA believe that their present community water facilities programs are adequate in terms of their mandated objectives. But they realize the need for improvement in the management of their programs. At the insistence of many congressmen, rural-interest organizations, and small communities, FmHA and EPA released a joint policy statement in July of this year amending the FmHA priority system for grants. First priority goes to improvements or additions to water treatment systems needed to meet the requirements of the Safe Drinking Water Act. Second, the quality of drinking water for projects financed in whole or in part by FmHA must meet the applicable primary drinking water standards after completion of any proposed improvements.

This policy statement is a much-needed recognition of past problems caused by the lack of coordination between EPA and FmHA. It is a welcome first step toward reducing these problems. However, a great deal of work remains to be done if EPA and FmHA programs are to deal efficiently with the water-sewer needs of rural America.

#### THE PROBLEM OF SAFE DRINKING WATER

Under the Safe Drinking Water Act (SDWA) of 1974, EPA was given the mandate of guaranteeing the safety of drinking water supplies throughout the United States. A substantial amount of data had been collected by this time showing that people in rural areas of the country suffered from inferior water quality to a much greater extent than those in urban areas due to their use of self-supply water systems such as individual wells and cisterns. Many of these systems, as well as a number of small community water systems, are known to supply poor quality water.

EPA's first objective under the SDWA was to define the water quality problem. As a part of this effort to define the problem, the agency provided substantial financial and technical assistance to states and local communities so that they could undertake various research and study programs. However, the Act authorized no funds to improve the water quality situation. There was no money for the construction of new water treatment systems, nor were funds available for upgrading existing treatment systems in order to meet the National Interim Primary Drinking Water Regulations.

Thus, in 1977, new drinking water regulations were imposed on existing water systems having 15 or more connections and regularly serving 25 or more individuals. While this size limit left millions of people unprotected by the regulations, the small community water systems that were covered suddenly were faced with rigid testing and quality requirements demanding a lot of time, attention, and financial resources.

The requirements of the EPA drinking water regulations have been a significant burden to a number of these water systems. Many of the strict requirements have been questioned by both water suppliers and scientists. The Council on Wage and Price Stability has declared that EPA's new rules are not worth the money and are void of any cost/benefit analysis. In addition, there seems to be no solid, scientific basis for many of them. EPA admits that there is no hard evidence linking the low level of trihalomethanes and synthetic organic chemicals found in drinking water with a low occurrence of cancer. Yet the agency asks local communities to spend millions of dollars (maybe even a billion) to curb the level of these chemical contaminants. Of course, smaller communities are affected the most

by this; they simply do not have the resources that larger communities have to upgrade and monitor their water supplies.

The Farmers Home Administration is usually the only source of funds for improving rural water systems, and it is therefore the only agency the communities can turn to in trying to comply with safe drinking water regulations. This applies both to existing systems which simply need upgrading and to those which have yet to be built. If a small community water system cannot sustain EPA's low limits for bacteria, turbidity, certain inorganic chemicals, pesticides, and radiological contaminants, then FmHA may reject an application for funding it. One does not want to deny the users of that system the safety regulations promulgated by EPA. On the other hand, the fact that the system is in noncompliance means that perhaps money is needed more for it than for other water systems, regardless of their size. In addition, FmHA has limited amounts of grant funds available and must attempt to use them to meet the needs of all rural communities—those with quality problems in existing systems and those with no system at all.

#### STEPS TOWARD A SOLUTION

The problems associated with implementation of the Safe Drinking Water Act are due partly to poor coordination between FmHA and EPA. This is the premise underlying the July joint policy statement. Many states moved prior to this statement to establish a coordinating mechanism that would assist rural communities in dealing with the new water quality standards. Vermont, for example, can boast an outstanding cooperative effort between FmHA and EPA in providing water facilities. EPA regularly sends lists of communities which are not in compliance with their safe drinking water regulations to FmHA, which can contact the communities directly. Once communities are aware of the funds available, they are more likely to heed EPA's warning of noncompliance.

Congressional concern has been expressed. Congressman Jim Abdnor of South Dakota, in introducing amendments to the SDWA and the Rural Development Act (RDA), noted that:

"If the Federal Government is going to mandate such standards upon a particular system, it is also incumbent upon the Federal Government to provide financing on a basis the users can afford to pay."

We couldn't agree more. FmHA enters the picture here as the principal funding source for communities with populations of 5,500 and under. It has a special responsibility to assist these localities in providing appropriate water facilities that comply with EPA's standards.

Similarly, the Congressional Rural Caucus (CRC) requested the Administration in September to "develop federal, state, and local intergovernmental mechanisms to improve coordination and reduce the difficulties, delays and red tape small cities and towns must undergo to obtain development assistance." Moreover, CRC recommended that the administration address the need to "develop within USDA a program to help FmHA, EDA, CSA, HUD, Labor and other programs used in rural communities to improve the accessibility to and delivery of their services" (emphasis added).

Congressman Abdnor expressed his recommendations in the form of legislation which he introduced this past summer. Although no action was taken on his and similar bills, they probably will be reintroduced in January. H.R. 13752 was a bill amending the Safe Drinking Water Act and the Rural Development Act "to provide additional assistance to small communities and rural water systems in meeting drinking water standards." In ad-

dition to increasing grant authority for water systems to 90 percent (from the present 50 percent) and authorizing grants for those systems which have experienced "higher than anticipated expenses," the bill would have required certain EPA-FmHA cooperation.

First, it sought to prohibit the Administrator of EPA "from acting against a public water system which is not in compliance with SDWA if it has a pending application with FmHA to finance the necessary improvements." Second, associations proposing to construct water systems would be permitted to ask EPA to test the supplies of proposed users for compliance with SDWA standards. If present supplies do not meet the SDWA standards, then the proposed system would qualify for grant assistance from FmHA on the same basis as existing systems.

It is heartening to see the perception and awareness that Congressman Abdnor manifests towards the rural water problem. He addresses the most common problems effectively, and even tackles some that are not so common. He advocates rearrangement of FmHA's grant priorities so that communities faced with unanticipated deterioration of water supplies can receive immediate action. Those communities which request money for the sole purpose of compliance with SDWA primary drinking water standards would become second on the list. H.R. 13752 would prohibit EPA from requiring a water system to notify its users of noncompliance with SDWA standards if the community has applied for assistance in order to comply. The fact that states are supposed to assume the responsibility for notifying systems and their users in the event of noncompliance has been a major point of contention with EPA since the SDWA became law. Because of their inability to control the funding source, states often do not want to exercise their right to primacy, and certain states have denied it completely (South Dakota, Wyoming and Utah are examples.) The state's view is that they should not have to bear the burden of explaining noncompliance to owners of water systems and their users when they have no power to extend the resources necessary for compliance. Congressman Abdnor saw it, too, when he stated: "EPA writes the rules and the water users pay the expenses." H.R. 13752 attempted to go far beyond the concept of EPA-FmHA coordination. It proposed specific solutions to a number of problems implicit in the provision of rural water supplies and, the solutions were based on the use of present program mechanisms.

The thrust of both the Abdnor legislative proposals and the EPA-FmHA policy statement is essentially the same: making the best of a bad situation through coordination and other programmatic changes. This may be the best that can be done and, given the fact that the present situation can only be improved, better coordination and program management would be no small accomplishment. However, the root of the problem may well be something quite different. On the one hand, the Congress has decided that the nation's drinking water quality must be improved substantially. On the other, the Carter administration has decided that there will be no costly new programs and no significant increases in those which already exist. This was the administration's position two years ago and it continues to be stated in light of continuing inflation. There simply may be no way even with all the coordination in the world, that both objectives—improved quality and economy—can be achieved. In the end, something is going to have to give—either the Carter administration will have to agree to a new, or greatly expanded, program to help small communities meet the drinking water standards or it will have to agree to soften the stand-

ards or delay their implementation. Coordination can only do so much.

The obvious implication of FYI's conclusion is that more money will be required if the goal of safe drinking water is to be met, and that may be so. While my bill does not provide for an increase in total Federal funding for water system improvements at this time, it would establish a more rational regulatory process within which the need for such an increase could be assessed and would become apparent.

Writing in the May/June 1979 edition of *Outdoor America*, Deputy EPA Administrator Barbara Blum made several pertinent remarks in an article entitled "EPA, Economics and the Environment." Among the points Ms. Blum endeavored to convey were the following:

The Environmental Protection Agency considers itself part of President Carter's administration and part of his anti-inflation team. EPA administers laws covering drinking water and their economic impact has not been lost on an economy racked by unrelenting inflation. EPA is committed to administering the law as inexpensively and efficiently as possible.

Resources—including clean water tend to become less plentiful as society becomes more densely populated, more urbanized. It is wrong, therefore, to think of our current problems as either primarily environmental or primarily economic. History teaches us that they are both at once.

We cannot afford an unhealthy environment, nor can we afford an economy plagued by inflation or racked by unemployment. We must debunk the myth that free enterprise and environmental regulation are natural enemies.

EPA fights and will continue to fight inflation four basic ways: through improvement of the regulatory process itself; through increased cooperation with industry and state, local, and foreign governments; through improvements in the enforcement process; and through the introduction of flexible marketplace incentives.

EPA is working to have state governments assume administrative responsibilities at the local and state levels so that those closest to a problem will make the required regulatory decisions, presumably in the most cost-effective manner possible.

EPA helped pioneer the new Regulatory Council. The council aims to increase cooperation within the bureaucracy and reduce rulemaking.

Cooperation within the bureaucracy and reduced rulemaking are admirable goals, but the cooperation of those who are regulated is even more important. The best way to get such cooperation is to have rules which are reasonable and well justified, and I believe there is room for a great deal of improvement in this regard.

Indeed, on page 42247 of the July 19 Federal Register, EPA itself admits:

While the Safe Drinking Water Act calls for issuance of revised regulations shortly after completion of the National Academy of Science's study, it was the Congress' expectation that the National Academy of Science's report would provide sufficient bases for such revised regulations. However, the Academy was unable to make specific recommendations as to safe levels of contaminants in drinking water to be used as a basis for maximum contaminant levels. Rather, NAS provided background information, recommendations for further research, and recommen-



dations regarding acceptable daily intakes for certain compounds.

Conversion of these recommendations and information into drinking water regulations is therefore a more lengthy and complex process than originally anticipated, and issuance of revised regulations in the prescribed time-frame became unrealistic.

Furthermore, EPA acknowledges:

The States have encountered several problems with respect to the microbiological MCLs and the monitoring requirements for small public water systems. Greater latitude has also been urged with respect to requirements applicable to non-community systems and with the requirement of public notification through the media for all MCL violations applicable to community water systems.

Finally, EPA states:

All existing MCLs will be re-evaluated in light of recently acquired data, particularly that contained in the National Academy of Sciences' report "Drinking Water and Health," and other information including a comprehensive follow-up study by the National Academy of Sciences now underway. Resulting changes will be reflected in Revised National Primary Drinking Water Regulations to be proposed subsequently."

In concluding her remarks in Outdoor America, Deputy EPA Administrator Blum said:

As we move into the 1980's, it is imperative our economic investments are environmentally sound and our environmental investments economical. Success depends upon our keeping that equation balanced.

That is exactly what my bill is designed to do with respect to drinking water in rural areas and small towns. I have a sense that reason must prevail—eventually; but, in the meantime, that is little relief to those who are faced with the impossibility or excessively costly prospect of having to comply with the existing law and regulations. Nor is it of much comfort to those who are ignored by the act.

I urge my colleagues and particularly the members of the Subcommittee on Health and the Environment to give this matter further, serious consideration. For those who might be interested, my previous remarks on this issue may be found on pages 24743, 30222, and 37267-37268 of the August 7, September 19, and October 14, 1978, CONGRESSIONAL RECORD, respectively. The text of the bill is on pages 24745-24746 of the August 7, 1978, RECORD.

The goal of safe drinking water for all Americans is unquestioned. The question is how best to maximize achievement of that goal. I believe the first step which must be taken is to reduce the attitude of confrontation which exists between the regulators and the regulated. My bill would do so and, hopefully, would encourage both to work together toward responsible and cost-effective solutions to our Nation's drinking water problems.

□ 1300

Mr. CARTER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. COLLINS).

Mr. COLLINS of Texas. Mr. Speaker, I thank the gentleman from Kentucky (Mr. CARTER), who is our ranking member and is so keenly concerned with the health of America.

I am keenly concerned, too, but I believe this bill is a step backward instead of a step forward.

You know, we have so many health regulations in this country, we just cannot hardly afford to live anymore.

I remember in our own district down there, this is where the Indians got started, down in Texas. We have 300 old camps in our area where Indians lived.

We have the Lewisville Man, that is supposed to be the oldest man. The Indians had a very healthy society. Nobody was any stronger physically or had a greater physique than Indians.

I want to tell my colleagues, if you remember back, you heard of very few Indians who lived past 40 years of age. They had fresh air, fresh water, fresh grass, but they just did not have the American way of life.

We are just about to price this American way of life out of business. We have got so many gimmicks. In fact, when my friend talked about water, the first thing that came to my mind was the drinking water here in Washington.

I cannot stand this tap water myself. I have to carry a gallon jug. I go down to buy completely natural water in the grocery store to drink. This is plain water just as it comes out of the spring. But Washington has been meeting all these requirements; they have to add chemicals for EPA standard water.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. COLLINS of Texas. I will yield to the gentleman from Kentucky.

Mr. CARTER. What would it cost the public if they, like the gentleman from Texas, went to the grocery store and bought their water? Would it not cost millions and millions more? This bill will save millions.

Mr. COLLINS of Texas. I want to tell the gentleman this. The reason I do not drink this Washington water is that it is meeting the regulations that we have written. I have just had all these congressional regulations that I need. Washington water meets the regulations that we have mandated. I do not want any more of this water that meets these regulations. I would just rather have plain water from the spring.

Now, in addition to what we have demanded in drinking water and what meets its requirements, another thing that concerns anybody that is from an oil-producing State is what they are going to do to secondary recovery of oil. They estimate in this report that it will cost \$665 million. I have never seen an estimate yet where they do not miss at least twice.

In other words, if they say \$665 million, that means it will run a billion and a half dollars more to meet regulations.

What they are doing in order to recover oil from these old oilfields all over the country way out in the sticks, is to go in, and they take water and pump it back down underneath the oil sand. I saw one well the other day, 7,000 feet deep, they pumped it down in there, and then the water makes the oil float. And because they are paid what you call a stripper well basis of \$18 which they are

getting on it, they are able to make money even though 98 percent of the pump back is water and 2 percent oil.

Now with this particular requirement, by the time they get through meeting these Government regulations, the oil producers will not be able to water flood all of these oil reserves that we have all over the country.

We are hoping that secondary and tertiary oil recovery is going to be the major answer where we can help increase production in the United States. EPA water regulations are going to mean more and more costs. Excessive rules provide an unbearable situation on these producing people, and what we are going to do, we are going to force America to continue to be more dependant on imports of the OPEC oil.

Just to remind you, again, and we seem to forget it, 6 years ago our country was importing \$3 billion in oil. This year we are importing \$60 billion in oil. If we pass this particular provision, we are going to close out the potential that we have for tremendous secondary and tertiary oil recoveries. It is going to be economically impossible to water flood all of these large oil reserve areas. This does not mean anything about pure water. Most of these oilfields are 50 miles out in the country, but with the requirements, you would think you were right under Main Street in downtown New York.

Think about it. The name of the bill is a good name—Safe Drinking Water Act. But what we should do, we ought to think first of the future of America, and the future of America is to send this bill back to committee.

The following are the remarks with the full minority views:

#### MINORITY VIEWS ON H.R. 3509 SAFE DRINKING WATER ACT AUTHORIZATIONS

H.R. 3509 extends for 3 fiscal years the authorization for programs under the Safe Drinking Water Act. Because the bill is nothing more than a straight-out authorization bill without substantive amendments to the act itself, any amendments not tied to the authorization period could be ruled out of order as nongermane. However, the brevity and scope of the bill mask a number of controversial issues flowing from EPA's administration of the statute.

The contention was made in Committee that the best course of action was oversight coupled with a three-year authorization in light of the ongoing administrative process with respect to some of these matters. The problem with that approach is that it is for practical purposes and instruction to EPA to continue on its course absent effective Congressional input. This is so because the Senate as of now also has a 3-year authorization bill and the prospect of opening up the Act should problems arise in the interim is remote due to lack of leverage—as witness the situation with respect to the Clean Air Act. In light of the significance of the potential disruptive activities of certain aspects of the Act, it would be far preferable to have a one-year authorization to keep EPA on a shorter leash.

Briefly, at least three major problems have cropped up regarding this Act. That is, the proposed national interim primary drinking water regulations on organics, the underground injection regulations (particularly dealing with oil and gas), and certain obstacles in the administration of the program. As previously mentioned, the bill unfortu-

nately does not address these vital matters. A short outline of these extremely complicated issues follows:

**Organics.**—In February 1978, EPA proposed regulations to limit organic chemicals in drinking water. The final regulations will probably be promulgated this summer. The regulation addressed trihalomethanes (which are formed during disinfection with chlorine of water containing naturally occurring materials) and other man-made compounds caused by urban, agricultural, and industrial pollution. Trihalomethanes would be subjected to a maximum contaminant level of 100 parts per billion. This standard would initially apply to systems serving populations of 75,000 or more. Systems serving 10,000 to 75,000 people would have to meet certain monitoring requirements, and those serving less than 10,000 people would be exempt initially. Coverage will be extended to all systems when feasible.

EPA proposed to restrict synthetic organic chemicals by requiring the installation of granular activated carbon (GAC) or some equivalent technology. This requirement would apply to systems serving greater than 75,000 people when monitoring indicates that a given water supply is vulnerable to this sort of contamination.

Not only is the scientific basis for the regulation questionable, but GAC for the proposed purpose with frequent on-site regeneration is not a demonstrably effective treatment technique. GAC would be extremely costly as reflected in larger rate increases for debt services for uses of public drinking water systems; would exacerbate our unfavorable energy situation because it is quite energy intensive; and could cause health hazards of its own. Of course, the impact of GAC would be widespread since many of the affected municipalities are centers of food processing for nationwide distribution.

**Underground Injection Control (UIC).**—Regulations to control the underground injection of contaminants were first proposed in August of 1976. They were withdrawn after being subjected to numerous adverse comments. They were repropose on April 20, 1979 with a 120-day comment period. Extensive comments on this subject were received in the 1977 hearings before the Subcommittee and some material was submitted for the record in this year's hearing.

The regulations would establish the technical criteria and standards to be used in implementing the underground injection control program. The regulations propose certain minimum requirements to contain injected and formation fluids. Wells divided into five classes for purposes of regulation, to wit: (1) Waste disposal below lowest underground source of drinking water by industrial, municipal, and nuclear concerns; (2) oil and gas disposal, recovery and storage; (3) special processes such as Frasch sulfur, solution mining, and gasification; (4) hazardous waste into or above lowest underground source of drinking water; and (5) all others such as drainage and recharge.

In the future, EPA proposes to consolidate its regulations for its permit programs under the hazardous waste management program under the Resource Conservation and Recovery Act, the UIC program under the Safe Drinking Water Act, and the National Pollutant Discharge Elimination System under the Clean Water Act.

EPA estimates that the proposed program costs for 5 years would be about (\$807.9 million of which about \$665.2 (or more than 80 percent) would fall on class II wells (oil and gas).

Because most of the cost of the regulations would be borne by the oil and gas industry, the bulk of the attention has focused there. The EPA cost estimate is too low because loss of reserve due to operating costs was not in-

cluded in the economic study. Aside from aspects of the regulations, a more fundamental objection goes to the threshold question as to whether or not regulations are needed at all. Studies which were prepared by the Interstate Oil Compact Commission in response to a statement by a member of the National Drinking Water Advisory Council reported that petroleum injection operations were not harming underground sources of drinking water in the producing States of Texas, Arkansas, Louisiana, and New Mexico. If States have sound injection control programs relating to oil and gas production, then the existing programs should not be hampered by Federal interference. To the extent that the regulations are unnecessary, they will be a constraint on energy production, divert funds from energy development, and represent an inflationary factor in energy costs.

**Administrative Obstacles.**—In his statement before our Subcommittee on March 26, Tom Jorling, Assistant Administrator for Water and Waste Management of EPA, mentioned that there were some matters of timing and procedure that warrant attention at this time. This is so, he said, because "unintended obstacles in the administration of the program, particularly to the States, are being caused." At the end of his formal statement, he gave a brief summary of what he styled as "needed" amendments. These amendments would: (1) Provide more time for States to amend their regulations to correspond with amended Federal regulations, thereby ensuring continuity of grants support and primary enforcement responsibility; (2) extend exemption compliance deadlines for interim primary regulations to the time frame already established in the act relative to the revised regulations, thus providing some systems, particularly the smaller ones, with sufficient time to solve their financial problems and improve their treatment facilities; and (3) adjust the statutory deadline for prohibiting all unregulated injection practices in view of the delay in promulgating final regulations and link the eligibility of States to receive underground injection control grants to the promulgations of final regulations, thus ensuring that they have grant support while seeking to achieve primary enforcement responsibility. Regrettably, these obstacles have not been removed.

JAMES T. BROYHILL.  
JAMES M. COLLINS.  
EDWARD R. MADIGAN.  
DAVE STOCKMAN.  
TOM LOEFFLER.  
GARY A. LEE.  
WILLIAM E. DANNEMEYER.

Mr. CARTER. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. DANNEMEYER).

Mr. DANNEMEYER. Mr. Speaker, would the gentleman from California (Mr. WAXMAN) yield for a question?

Mr. WAXMAN. I would be pleased to yield.

Mr. DANNEMEYER. Would the gentleman explain a little, if he would, as to why the authorization in this bill is for more than 1 year? What is the rationale for that?

Mr. WAXMAN. I am sorry. I did not hear the gentleman's question.

Mr. DANNEMEYER. Would the gentleman explain why there is a need legislatively speaking for an authorization longer than 1 year in this bill?

Mr. WAXMAN. Why there is an authorization longer than 1 year for this program?

Mr. DANNEMEYER. That is right.

Mr. WAXMAN. This is an ongoing pro-

gram. We are authorizing it for a 3-year period. That means we are making a commitment to continue the safe-drinking water period for a 3-year period. However, there are a number of issues that have been raised today and other issues on the minds of all of us about regulations that are being proposed and the directions the EPA may take.

In dealing with those questions, I have clearly expressed my intent to have the subcommittee hold hearings and go into further legislative action on the Safe Drinking Water Act itself without having to wait for an authorization period to expire.

Mr. DANNEMEYER. Would it not make more sense from the standpoint of good legislative policy to limit the authorization for just 1 year to insure that at the expiration of this year that Congress would be able to exercise its appropriate review and oversight function?

Mr. WAXMAN. I do not think we need to exercise the review and oversight function. It seems to me that is an ongoing responsibility. Particularly this legislation, I think, requires of us to continue an oversight investigation into a lot of new areas that they plan to undertake, even before that year is up, so that we might decide whether we want to take further legislative action on the Safe Drinking Water Act itself.

Mr. DANNEMEYER. If I understand the chairman correctly that some time next year the subcommittee would concern itself with this legislation and would hold hearings of oversight on this specific act?

Mr. WAXMAN. The gentleman is correct.

Mr. DANNEMEYER. Could the gentleman indicate about what time during the year he intends to have those hearings?

Mr. WAXMAN. If the gentleman would yield further, I hope to have those oversight hearings before the subcommittee by the fall of this year, which will enable us to act legislatively early next year, if necessary.

Mr. DANNEMEYER. One of the reasons that I ask this question and these questions relates to the question that the gentleman from Texas (Mr. COLLINS) earlier raised as to just how extensive is this going to impact upon the ability of oil producers in this country to recover oil from marginal fields. It was my feeling that it is appropriate for the Congress to continue oversight, certainly within the year, to determine if really we have priced ourselves out of the ability to recover oil from some of these fields that would be classified as marginal.

I thank the gentleman for his comments.

Mr. WAXMAN. On that very point which was raised by the gentleman from Texas (Mr. COLLINS) in the full Energy and Foreign Commerce Committee. I want to point out that the regulations that both of the gentlemen have expressed concern about are now in a period of 120-day comments before EPA.

Therefore, EPA will have 120 days further before they do anything with



the regulations, and the regulations will not take effect for 2 years. It is my intent not to wait that long a period of time but to have us make a very clear examination of the impact of that regulation on a whole range of concerns that are before us; and if need be, we will act legislatively to change the law if the subcommittee and the Congress feel that is appropriate, but we will act before those regulations ever take effect.

Mr. DANNEMEYER. I thank the chairman for his comments.

□ 1310

Mr. CARTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, some remarks were made about clean water. How in the world could any intelligent man be opposed to clean, pure, crystalline water?

Not too long ago the gentleman from Texas (Mr. GONZALEZ) asked that we protect the aquifers containing this pure water about the city of San Antonio, and we did that. Water being injected, of course, must be controlled. We have had some very serious trouble with water being injected in New Jersey in the aquifers, and it is my understanding that it will be years before this water can be purified.

Not only that, where we have injections to save oil we can also pollute aquifers and have water rendered not potable for many years. We must protect the pure water system in our country.

I strongly support this legislation and I urge its approval.

Mr. WAXMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I wonder if I could ask the distinguished chairman of the subcommittee if he would clarify his intentions regarding this particular area of authorization. Do I understand that prior to the 3-year expiration of the authorization undertaken by this suspension bill that there will be additional legislation reaching the floor?

Mr. WAXMAN. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman.

Mr. WAXMAN. There is a great deal of concern about the proposed regulations under the Safe Drinking Water Act which has led our subcommittee to the desire to hold hearings on the proposed regulations and to look at the substance of the Safe Drinking Water Act itself. I expect that we will have legislation before the expiration of the authorization period which will deal with these substantive questions in the act itself.

What we propose to do in this legislation merely is to continue the financial authorization for the safe drinking water program, with the understanding that Members will have legislation before them to make substantive changes in the law.

Mr. FOLEY. Does the gentleman assume when the legislation reaches the floor if it deals with any part of the Safe Drinking Water Act that the germaneness rule would not be applied to limit amendments to other parts of the authorization act?

Mr. WAXMAN. If the gentleman will

continue to yield, it is always my understanding and would be clearly my intent that the legislation which would make substantive changes in the Safe Drinking Water Act would open up the whole Safe Drinking Water Act to changes. In subcommittee consideration of H.R. 3509, we did not have the opportunity to look into the complicated questions raised by some about the law itself. We were faced with the May 15 authorizing deadline. So what we propose to do is reauthorize the existing drinking water program with the clear commitment that we will then examine the legislation itself to see what changes would be made.

Mr. FOLEY. Does the gentleman assume that it would happen in this Congress?

Mr. WAXMAN. If the gentleman will yield, I would assume it would.

Mr. FOLEY. I thank the gentleman for his assurances.

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. WAXMAN. Mr. Speaker, I yield 1 additional minute to the gentleman.

Mr. FOLEY. I thank the gentleman for yielding. Mr. Speaker, I am concerned in some areas of the legislation about the effort of many to provide for some form of overview on programs within the jurisdiction of the various committees through sunset legislation being effectively vitiated in committee rather than holding legislation within their jurisdiction to report changes or authorization extensions by the Suspension Calendar, prohibiting Members on the floor from offering relevant amendments. Therefore, I am delighted with the gentleman from California, the distinguished chairman of the subcommittee's assurances that this will be an area where the House will be provided with an opportunity within the near future to work its will on my appropriate amendments to the basic authorization act. I hope that will be a standard followed by other committees with respect to legislation dealing especially with regulations of the kind involved in the Clean Water Act. I thank the gentleman for his assurances.

Mr. WAXMAN. I thank the gentleman for his comments and I appreciate his indulgence in having our subcommittee look into the substance of the Safe Drinking Water Act during our oversight hearings, and at this time, allowing the authorization of that program to go forward.

Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

Mr. CARTER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Iowa (Mr. GRASSLEY).

Mr. GRASSLEY. Mr. Speaker, I rise in opposition to this bill, not because, as maybe the gentleman from Kentucky implied, that those of us who rise against this bill might be against safe drinking water, for nobody in this chamber is against safe drinking water. But No. 1, because it is on the Suspension Calendar, and No. 2, because we do not have the opportunity to deal with some

of these very serious questions that ought to be dealt with.

Quite obviously the chairman of the subcommittee, the gentleman from California (Mr. WAXMAN) trusts and feels that EPA is going to be a responsible agent of the people of our country. Let me tell the gentleman that he will find otherwise as he serves as chairman of the subcommittee for a long time, as we discovered in the Agriculture Committee. The Members will find that EPA is a bunch of lawyers. They do not know much about the things they are dealing with. They are a group of idealists and eccentrics and we need to put them under control once in awhile. I am a member of the Agriculture Committee, and I ask the subcommittee chairman to listen to the gentleman from Washington, the chairman of the Agriculture Committee, Mr. FOLEY. The subcommittee chairman will find out the only way we were able to get EPA to listen to the members of the Agriculture Committee on the Federal Pesticide Act, was to give a year-to-year extension of the authorization of that program, not a 3-year program as the gentleman is endeavoring to do here for the Safe Drinking Water Act. He may trust the EPA, and he may have them listening to him, and he may have them being responsible. But I think the gentleman had better question whether or not he really does. A 3-year authorization has given EPA a free reign that the agency should not have.

Had we given them that with the Federal Pesticide Act we would never have gotten any reforms brought about in that act. I think the irresponsibility of EPA is best illustrated by the rules and regulations they promulgated under the Safe Drinking Water Act in February 1978. Those rules were very irresponsible. They only allowed one way of purifying water. They applied it to all cities over 70,000. That is irresponsible, and because of that activity we need an opportunity to amend this act. That is why I ask the Members to vote down this bill on suspension so we can gain an opportunity to propose a 1-year-only authorization.

Mr. CARTER. Mr. Speaker, I strongly support the legislation that is before us today. Again, I strongly support pure, clean, crystalline water, water that is healthful and wholesome, and water that satisfies a person when he is suffering from thirst. Water which drops as the gentle rain from heaven. It is twice blessed; it blesses the one who gives and the one who receives.

I strongly support pure drinking water and this legislation, Mr. Speaker.

● Mr. JENNETTE. Mr. Speaker, I have discussed with the gentleman from California (Mr. WAXMAN) a problem we are facing in South Carolina. As he knows, the interim primary drinking water regulations set a maximum contaminant level for fluoride. Many small towns and cities in my district have determined that they do not meet the fluoride standard, and that it will be very costly for them to install and operate the requisite technology so that they might meet the standards. They further question

whether the negative or adverse effects of natural fluoride in water has on a small percentage of the population warrants the massive investments required to filter it out. This is especially true during these hard economic times.

It is my understanding that EPA is aware of this situation and is engaging in discussion with officials of South Carolina to assess the effect of fluoride on human health, especially on teeth. It is also my understanding that his committee plans to hold oversight hearings on a number of different issues pertaining to drinking water, including the problems facing small systems. We need some assistance and the people need relief. Toward this end I have introduced a bill to provide relief until the true effects on the population in question can be closely examined to determine if the negative impact is sufficient enough to warrant these extreme measures.

I am pleased that the chairman, Mr. WAXMAN, feels it would be very helpful to the Subcommittee on Health and the Environment to focus on the problem posed by naturally occurring fluoride during oversight hearings and that he is willing to work with South Carolina and other States to this end. Further, I understand, the committee will give my bill every consideration. I understand EPA is presently studying the health effects of fluoride and I look forward to receiving the report when the study is concluded. Finally, I want to thank Mr. WAXMAN and his subcommittee for the consideration shown me.●

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. WAXMAN) that the House suspend the rules and pass the bill, H.R. 3509.

The question was taken.

Mr. COLLINS of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to the provisions of clause 3, rule XXVII, and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### RESIGNATION AS CONFEREES AND APPOINTMENT OF CONFEREES ON H.R. 4389, LABOR-HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1979

The SPEAKER laid before the House the following resignation as a conferee of the House-Senate Conference Committee on the bill, H.R. 4389, Labor-Health, Education, and Welfare Appropriations:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., July 30, 1979.

Hon. THOMAS P. O'NEILL,  
The Speaker, House of Representatives,  
Washington, D.C.

DEAR "TIP": On July 27, 1979 I was appointed by you as a Conferee to the House-Senate Conference Committee for Labor-Health, Education, and Welfare Appropriations.

In light of my continued hospitalization, I would like to authorize you, at your discretion, to appoint a substituted Conferee for that Conference.

With best wishes, I am,  
Sincerely yours,

DANIEL J. FLOOD,  
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER. The Chair appoints the gentleman from Massachusetts (Mr. BOLAND) to serve as a conferee to fill the vacancy, and the Clerk will notify the Senate of the action of the House.

□ 1320

#### CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make a point of order.

The SPEAKER. The gentleman will state it.

Mr. ASHBROOK. Mr. Speaker, because of the controversy surrounding House Joint Resolution 381, I make a point of order that a quorum is not present, and move a call of the House.

The SPEAKER. The Chair cannot entertain a point of order at this stage.

The Chair recognizes the gentleman from California (Mr. DANIELSON).

Mr. DANIELSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 397]

Abdnor	Cleveland	Fuqua
Addabbo	Clinger	Gaydos
Akaka	Coelho	Gephardt
Albosta	Coleman	Gibbons
Alexander	Collins, Tex.	Gilman
Anderson	Conable	Gingrich
Calif.	Conte	Ginn
Anderson, Ill.	Corcoran	Glickman
Andrews	Cotter	Goldwater
N. Dak.	Courter	Gonzalez
Annuzio	Crane, Daniel	Goodling
Anthony	Crane, Philip	Gore
Applegate	D'Amours	Gradison
Ashbrook	Daniel, Dan	Gramm
Aspin	Daniel, R. W.	Grassley
Atkinson	Danielson	Gray
AuCoin	Dannemeyer	Green
Bafalis	Daschle	Grisham
Baldus	Davis, Mich.	Guarini
Barnard	Davis, S.C.	Gudger
Barnes	de la Garza	Guyer
Baum	Deckard	Hagedorn
Beard, R.I.	Dellums	Hall, Ohio
Beard, Tenn.	Derrick	Hall, Tex.
Bedell	Derwinski	Hamilton
Bellenson	Devine	Hammer-
Benjamin	Dickinson	schmidt
Bennett	Dicks	Hance
Bethune	Dingell	Hanley
Bevill	Dixon	Hansen
Biaggi	Donnelly	Harkin
Bingham	Downey	Harris
Blanchard	Duncan, Oreg.	Hawkins
Boggs	Duncan, Tenn.	Heckler
Boland	Earl	Hefner
Boner	Eckhardt	Hefert
Bonior	Edgar	Hightower
Bonker	Edwards, Ala.	Hillis
Bouquard	Edwards, Calif.	Hinson
Bowen	Emery	Hollenbeck
Brademas	English	Holt
Brinkley	Erdahl	Holtzman
Brodhead	Ertel	Hopkins
Brooks	Evans, Del.	Horton
Broomfield	Evans, Ga.	Howard
Brown, Calif.	Evans, Ind.	Hubbard
Brown, Ohio	Fary	Huckaby
Broyhill	Fascell	Hughes
Buchanan	Fazio	Ichord
Burgener	Fenwick	Ireland
Burlison	Ferraro	Jacobs
Burton, Phillip	Findley	Jeffords
Butler	Fisher	Jeffries
Byron	Fithian	Jenkins
Campbell	Flippo	Jenrette
Carney	Florito	Johnson, Calif.
Carr	Foley	Jones, N.C.
Carter	Ford, Mich.	Jones, Okla.
Cavanaugh	Ford, Tenn.	Jones, Tenn.
Chappell	Fountain	Kastenmeier
Cheney	Fowler	Kazen
Clausen	Frenzel	Kelly
	Frost	Kemp

Kildee	Murphy, Pa.	Snowe
Kindness	Murtha	Snyder
Kogovsek	Myers, Ind.	Solarz
Kostmayer	Myers, Pa.	Solomon
Kramer	Natcher	Spellman
LaFalce	Neal	Spence
Lagomarsino	Nedzi	St Germain
Latta	Nelson	Stack
Leach, Iowa	Nichols	Staggers
Leach, La.	O'Brien	Stangeland
Leath, Tex.	Oakar	Stanton
Lederer	Oberstar	Stark
Lee	Obey	Steed
Lehman	Panetta	Stenholm
Leland	Pashayan	Stewart
Lent	Patten	Stokes
Levitas	Paul	Stratton
Lewis	Pepper	Studds
Livingston	Perkins	Stump
Lloyd	Petri	Swift
Loeffler	Peyser	Symms
Long, La.	Pickle	Synar
Long, Md.	Preyer	Tauke
Lott	Price	Taylor
Lowry	Pritchard	Thomas
Lujan	Pursell	Thompson
Luken	Quayle	Traxler
Lundine	Rahall	Trible
Lungren	Rangel	Van Deerlin
McClary	Ratchford	Vanik
McCloskey	Regula	Vento
McCormack	Reuss	Volkmer
McDade	Richmond	Walgren
McDonald	Rinaldo	Walker
McHugh	Ritter	Wampler
Madigan	Roberts	Watkins
Maguire	Robinson	Waxman
Markey	Roe	Weaver
Marks	Rose	Weiss
Marriott	Roth	White
Matsui	Rousselot	Whitehurst
Mattox	Roybal	Whitley
Mavroules	Royer	Whittaker
Mazzoli	Rudd	Whitten
Mica	Runnels	Williams, Mont.
Michel	Russo	Wilson, Bob
Mikulski	Sabo	Wilson, C. H.
Mikva	Satterfield	Wilson, Tex.
Miller, Calif.	Sawyer	Winn
Miller, Ohio	Schroeder	Wolf
Mineta	Schulze	Wolpe
Minish	Seiberling	Wyatt
Mitchell, Md.	Sensenbrenner	Wydler
Mitchell, N.Y.	Shannon	Wylie
Moakley	Sharp	Yates
Moffett	Shelby	Yatron
Mollohan	Shumway	Young, Alaska
Moore	Shuster	Young, Fla.
Moorhead,	Simon	Young, Mo.
Calif.	Skelton	Zablocki
Mottl	Slack	Zerfetti
Murphy, Ill.	Smith, Iowa	
Murphy, N.Y.	Smith, Nebr.	

□ 1330

The SPEAKER pro tempore. On this rollcall, 372 Members have recorded their presence by electronic device. Under the rule further proceedings under the call are dispensed with.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to clause 3, rule XXVII, the Chair will now put the question on the motion on which further proceedings were postponed.

A vote will be taken on H.R. 3509.

#### SAFE DRINKING WATER AUTHORIZATIONS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 3509.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. WAXMAN) that the House suspend the rules and



pass the bill H.R. 3509, on which the yeas and nays are ordered.

□ 1340

### PARLIAMENTARY INQUIRY

Mr. BAUMAN. I have a parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. BAUMAN. Mr. Speaker, what happens with this last bill which was listed on the Suspension Calendar today, the Califano-Adams-Blumenthal Relief Act?

The SPEAKER. The gentleman is not seeking recognition on that matter.

Mr. BAUMAN. It is not to be called up?

The SPEAKER. That is the plan.

### SAFE DRINKING WATER AUTHORIZATIONS

The SPEAKER. The unfinished business is the question of suspending the rules and passing the bill, H.R. 3509.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. WAXMAN) that the House suspend the rules and pass the bill, H.R. 3509, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 319, nays 76, not voting 39, as follows:

[Roll No. 398]

YEAS—319

Abdnor	Cheney	Frenzel
Addabbo	Clausen	Frost
Akaka	Cleveland	Fuqua
Albosta	Clinger	Gaydos
Alexander	Coelho	Gephardt
Anderson,	Coleman	Gibbons
Calif.	Conable	Gillman
Anderson, Ill.	Conte	Ginn
Andrews, N.C.	Corcoran	Gonzalez
Andrews,	Cotter	Goodling
N. Dak.	Coughlin	Gore
Annuzio	Courter	Gradison
Anthony	D'Amours	Gramm
Ashley	Danielson	Gray
Aspin	Daschle	Green
Atkinson	Davis, S.C.	Grisham
AuCoin	de la Garza	Guarini
Bafalis	Deckard	Guyder
Bailey	Dellums	Hagel
Baldus	Derrick	Hagedorn
Barnard	Derwinski	Hall, Ohio
Barnes	Dickinson	Hamilton
Beard, R.I.	Dicks	Hammer-
Bedell	Dingell	schmidt
Bellenson	Dodd	Hance
Benjamin	Donnelly	Hanley
Bethune	Dornan	Harkin
Bevill	Downey	Harris
Blaggi	Drinan	Harsha
Bingham	Duncan, Tenn.	Heckler
Blanchard	Early	Hefner
Boggs	Eckhardt	Hefel
Boland	Edgar	Hightower
Boner	Edwards, Ala.	Hillis
Bonior	Edwards, Calif.	Hinson
Bonker	Emery	Hollenbeck
Bouquard	English	Holtzman
Bowen	Erdahl	Hopkins
Brademas	Erlenborn	Horton
Brinkley	Ertel	Howard
Brodeur	Evans, Del.	Hubbard
Brooks	Fary	Hughes
Broomfield	Fascell	Hutto
Brown, Calif.	Fazio	Ireland
Brown, Ohio	Fenwick	Jacobs
Buchanan	Ferraro	Jeffords
Burgener	Fisher	Jenkins
Burlison	Fithian	Johnson, Calif.
Burton, John	Filippo	Jones, Okla.
Burton, Phillip	Florio	Jones, Tenn.
Byron	Foley	Kastenmeier
Campbell	Ford, Mich.	Kazen
Carr	Ford, Tenn.	Kemp
Carter	Fountain	Kildee
Chappell	Fowler	Kogovsek

Kostmayer	Murphy, N.Y.	Snowe
LaFalce	Murphy, Pa.	Snyder
Latta	Murtha	Solarz
Leach, Iowa	Myers, Pa.	Solomon
Leach, La.	Natcher	Spellman
Lederer	Neal	Spence
Lee	Nedzi	St Germain
Lehman	Nelson	Stack
Leland	Nichols	Staggers
Lent	Nowak	Stangeland
Levitas	O'Brien	Stanton
Lloyd	Oberstar	Stark
Long, La.	Obey	Steed
Long, Md.	Ottlinger	Stewart
Lott	Panetta	Stokes
Lowry	Patten	Stratton
Lujan	Pepper	Studds
Luken	Perkins	Swift
Lundine	Petri	Synar
McClory	Peyster	Thompson
McCloskey	Pickle	Traxler
McCormack	Preyer	Trible
McDade	Price	Udall
McEwen	Pritchard	Van Deenlin
McHugh	Pursell	Vanik
McKinney	Rahall	Vento
Madigan	Rangel	Walgren
Maguire	Ratchford	Walker
Markley	Regula	Wampler
Marks	Reuss	Watkins
Marriott	Richmond	Waxman
Matsui	Rinaldo	Weaver
Mattox	Ritter	Weiss
Mavroules	Roe	White
Mazzoli	Rose	Whitehurst
Mica	Rosenthal	Whitley
Michel	Roth	Whittaker
Mikulski	Roybal	Whitten
Mikva	Royer	Wilson, C. H.
Miller, Calif.	Russo	Wilson, Tex.
Miller, Ohio	Sabo	Winn
Mineta	Santini	Wirth
Mintish	Sawyer	Wolf
Mitchell, Md.	Scheuer	Wolpe
Mitchell, N.Y.	Schroeder	Wyatt
Moakley	Schulze	Wyllie
Moffett	Seiberling	Yates
Mollohan	Shannon	Yatron
Moorhead,	Sharp	Young, Alaska
Calif.	Sheiby	Young, Fla.
Moorhead, Pa.	Simon	Zablocki
Mottl	Slack	Zeferetti
Murphy, Ill.	Smith, Iowa	

NAYS—76

Applegate	Grassley	Roberts
Archer	Hall, Tex.	Robinson
Ashbrook	Hansen	Roussot
Badham	Holt	Rudd
Bauman	Huckaby	Runnels
Beard, Tenn.	Ichord	Satterfield
Bennett	Jeffries	Sensenbrenner
Broyhill	Jenrette	Shumway
Butler	Jones, N.C.	Shuster
Carney	Kelly	Skelton
Cavanaugh	Kindness	Smith, Nebr.
Collins, Tex.	Kramer	Stenholm
Crane, Daniel	Lagomarsino	Stockman
Crane, Philip	Leath, Tex.	Stump
Daniel, Dan	Lewis	Symms
Daniel, R. W.	Livingston	Tauke
Dannemeyer	Loeffler	Taylor
Davis, Mich.	Lungren	Thomas
Devine	McDonald	Ullman
Edwards, Okla.	Montgomery	Volkmer
Evans, Ga.	Moore	Williams, Mont.
Evans, Ind.	Myers, Ind.	Wilson, Bob
Findley	Pashayan	Wyder
Gingrich	Paul	Young, Mo.
Glickman	Quayle	
Goldwater	Quillen	

NOT VOTING—39

Ambro	Fish	Nolan
Berouter	Flood	Oakar
Bolling	Forsythe	Patterson
Breaux	Garcia	Pease
Chisholm	Gialmo	Rallsback
Clay	Hawkins	Rhodes
Collins, Ill.	Holland	Rodino
Conyers	Hyde	Rostenkowski
Corman	Johnson, Colo.	Sebelius
Diggs	McKay	Treen
Dixon	Marlenee	Vander Jagt
Dougherty	Martin	Williams, Ohio
Duncan, Oreg.	Mathis	Wright

□ 1350

The Clerk announced the following pairs:

Mr. Rodino with Mr. Vander Jagt.  
Mr. Ambro with Mr. Rallsback.

Mr. Rostenkowski with Mr. Treen.  
Mrs. Chisholm with Mr. Sebelius.  
Mr. Gialmo with Mr. Johnson of Colorado.  
Mr. Clay with Mr. Marlenee.  
Mr. McKay with Mr. Fish.  
Mr. Wright with Mr. Forsythe.  
Mr. Pease with Mr. Hyde.  
Mr. Hawkins with Mr. Williams of Ohio.  
Mr. Breaux with Mr. Martin.  
Mrs. Collins of Illinois with Mr. Dougherty.  
Mr. Corman with Mr. Bereuter.  
Mr. Dixon with Mr. Holland.  
Mr. Conyers with Mr. Garcia.  
Mr. Duncan of Oregon with Mr. Mathis.  
Mr. Nolan with Ms. Oaker.  
Mr. Patterson with Mr. Flood.

Messrs. LIVINGSTON, EVANS of Georgia, HUCKABY, and KINDNESS changed their vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1146) to amend title XIV of the Public Health Service Act, as amended by the Safe Drinking Water Act (88 Stat. 1680, 42 U.S.C. 300j), to extend for 3 fiscal years the authorization for appropriations, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from California.

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1146

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1444 of the Public Health Service Act is amended by adding a new subsection (e), which shall read as follows:*

"(e) The administrator shall establish demonstration projects for the abatement and control of drinking water contaminants, including both synthetic, organic and inorganic substances, in water supply systems serving five thousand persons or less. For purposes of this subsection, there are authorized to be appropriated \$1,000,000, which shall remain available until expended."

Sec. 2. (a) Section 1442(e) of the Public Health Service Act is amended by striking "and" immediately following "1977;" and by inserting after "1979" and before the period: "; \$21,405,000 for fiscal year 1980; \$24,647,000 for fiscal year 1981; and \$30,485,000 for fiscal year 1982."

(b) Section 1443 of the Public Health Service Act is amended—

(1) by striking "and" immediately following "1978" in paragraph (a) (7) and inserting after "1979" and immediately following the period: "; \$29,000,000 for fiscal year 1980; \$30,000,000 for fiscal year 1981; and \$35,943,000 for fiscal year 1982."

(2) by striking "and" immediately preceding "\$10,000,000" in paragraph (b) (5) and inserting after "1979" and immediately before the period: "; \$7,795,000 for fiscal year 1980; \$14,453,000 for fiscal year 1981; and \$15,172,000 for fiscal year 1982."

MOTION OFFERED BY MR. WAXMAN

Mr. WAXMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WAXMAN moves to strike out all after the enacting clause of the Senate bill (S.

1146) and to insert in lieu thereof the provisions of H.R. 3509, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: To extend for three fiscal years the authorizations for appropriations under the Safe Drinking Water Act.

A motion to reconsider was laid on the table.

A similar House bill, H.R. 3509, was laid on the table.

#### PERMISSION FOR SUBCOMMITTEE ON COAST GUARD AND NAVIGATION OF THE COMMITTEE ON MERCHANT MARINE AND FISHERIES TO SIT DURING 5-MINUTE RULE ON TUESDAY, JULY 31, 1979

Mr. BIAGGI. Mr. Speaker, I ask unanimous consent that the Subcommittee on Coast Guard and Navigation of the Committee on Merchant Marine and Fisheries be permitted to sit on Tuesday, July 31, 1979, during the 5-minute rule, for the purpose of holding a hearing, and a hearing alone, to explore the problems of liability and compensation related to the marine transportation of hazardous substances.

The SPEAKER. Is there objection to the request of the gentleman from New York (Mr. Biaggi)?

There was no objection.

#### PROPOSED MOTION FOR EXPULSION OF CONGRESSMAN DIGGS

(Mr. LUNGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUNGREN. Mr. Speaker, I take this time to announce to my colleagues my intention to call up a privileged motion immediately after this 1 minute, a motion for the expulsion of the gentleman from Michigan (Mr. Diggs).

The reason I take this time is to explain why we are doing this. We found out officially Friday for the first time that the committee recommendation on censure would be taken up as the first order of business on Tuesday. Under the manner in which it will be brought up, there will not be an opportunity for a motion for expulsion to be considered in the nature of a substitute or for debate.

□ 1400

The gentleman from California (Mr. Dannemeyer) and I signed a letter, co-signed by 40 other Members of this House, requesting that more time be granted during the course of that debate and also that a special rule be allowed so that the question of expulsion might be considered after a just and fair debate in this matter. We were informed this morning by the Speaker that this was not possible, and that the Committee on Rules would not meet to consider our request.

Therefore, since many of us feel that

the question of expulsion is a serious one that ought to be considered on an up-or-down vote, we feel that we have no recourse but to present it at this time so that we will avoid what would happen otherwise; that is, a consideration of the committee recommendation, a final vote on the committee recommendation, and then the consideration of a moot point, which would be the consideration of expulsion at that time.

#### PRIVILEGES OF THE HOUSE—IN THE MATTER OF CHARLES C. DIGGS, JR.

Mr. LUNGREN. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a privileged resolution (H. Res. 391) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That Charles C. Diggs, Jr., a Representative from the Thirteenth District of Michigan, is hereby expelled from the House of Representatives.

#### BRADEMAS MOTION TO TABLE—CONGRESS MOTION ON DIGGS

● Ms. HOLTZMAN. Mr. Speaker, it is with reluctance that I support the motion to table the resolution calling for the expulsion of Mr. Diggs. After all, I believe firmly that the issue ought to be debated—and debated fully. But because the issue of expulsion is so grave and momentous, the House of Representatives should follow an orderly, and fair, procedure in considering it.

The Ethics Committee has studied the Diggs case and will be reporting its conclusions and recommendations tomorrow. Although the committee unanimously (and on a bipartisan basis) recommended censure of Mr. Diggs. The question of why expulsion should not be ordered must and will be dealt with during the debate at that time. I think orderliness dictates that the House should hear from the Ethics Committee first.

Furthermore, the motion to expel is a privileged one and can be brought up tomorrow, after the debate on the censure resolution. If the Members feel that censure is an inappropriate remedy after hearing from the committee there will be ample opportunity to renew the expulsion motion then.

We lose nothing by one day's delay and gain the assurance that the case will be dealt with properly and firmly. ●

MOTION TO TABLE OFFERED BY MR. BRADEMAS

Mr. BRADEMAS. Mr. Speaker, I move that the resolution be laid on the table.

#### PARLIAMENTARY INQUIRY

Mr. LUNGREN. Mr. Speaker, I have a parliamentary inquiry.

Mr. Speaker, I will ask the Chair, is the gentleman's motion in writing?

The SPEAKER. The Chair will inform the gentleman that motion is in writing.

The question is on the motion offered by the gentleman from Indiana (Mr. Brademas) to table the resolution offered by the gentleman from California (Mr. Lungren).

The question was taken; and the Speaker announced that ayes appeared to have it.

Mr. LUNGREN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 205, nays 197, not voting 32, as follows:

[Roll No. 399]

YEAS—205

Addabbo	Frost	Obey
Akaka	Fuqua	Ottlinger
Alexander	Gaydos	Patten
Anderson, Calif.	Gibbons	Patterson
Andrews, N.C.	Gilman	Pease
Annunzio	Gonzalez	Pepper
Ashley	Gradison	Peyser
Aspin	Gray	Pickle
Atkinson	Guarini	Preyer
AuCoin	Gudger	Price
Bailey	Hamilton	Rahall
Baldus	Hanley	Rangel
Beard, R.I.	Harkin	Reuss
Bellenson	Harris	Richmond
Benjamin	Hawkins	Roberts
Bennett	Hefner	Roe
Biaggi	Hollenbeck	Rose
Bingham	Holtzman	Rosenthal
Blanchard	Horton	Roybal
Boggs	Howard	Russo
Boland	Huckaby	Sabo
Bonior	Hutto	Scheuer
Bonker	Ichord	Schroeder
Bouquard	Jacobs	Selberling
Bowen	Jenrette	Shannon
Brademas	Johnson, Calif.	Sharp
Brinkley	Jones, N.C.	Simon
Brodhead	Jones, Okla.	Skelton
Brooks	Jones, Tenn.	Slack
Brown, Calif.	Kastenmeier	Smith, Iowa
Burlison	Kogovsek	Solarz
Burton, John	LaFalce	Spence
Burton, Phillip	Leach, La.	St Germain
Byron	Lederer	Stack
Carr	Lehman	Staggers
Cavanaugh	Leland	Stark
Cheney	Lloyd	Steed
Clay	Long, La.	Stewart
Coelho	Long, Md.	Stokes
Conte	Lowry	Stratton
D'Amours	Lundine	Studds
Danielson	McCormack	Swift
Davis, S.C.	McHugh	Synar
Dellums	McKinney	Thompson
Derrick	Markley	Udall
Dicks	Marks	Ullman
Dingell	Matsui	Van Derlin
Dixon	Mattox	Vanik
Dodd	Mavroules	Vento
Donnelly	Mikulski	Volkmer
Drinan	Milka	Watkins
Duncan, Oreg.	Mineta	Waxman
Early	Minish	Weaver
Edwards, Calif.	Mitchell, Md.	Wells
Evans, Ga.	Mitchell, N.Y.	Whitely
Evans, Ind.	Moakley	Whitten
Fary	Moffett	Williams, Mont.
Fascell	Mollohan	Wilson, C. H.
Fazio	Moorhead, Pa.	Wilson, Tex.
Ferraro	Murphy, Ill.	Wirth
Fisher	Murphy, N.Y.	Wolff
Fithian	Murtha	Wolpe
Florio	Mvers, Pa.	Wyatt
Foley	Neal	Wyllie
Ford, Mich.	Nedzi	Yates
Ford, Tenn.	Nowak	Young, Mo.
Fountain	O'Brien	Zablocki
Fowler	Oakar	Zeferetti
	Oberstar	

NAYS—197

Abdnor	Bethune	Coleman
Albosta	Bevill	Collins, Tex.
Anderson, Ill.	Boner	Conable
Andrews, N. Dak.	Broomfield	Corcoran
Anthony	Brown, Ohio	Cotter
Applegate	Broyhill	Coughlin
Archer	Buchanan	Courter
Ashbrook	Burgener	Crane, Daniel
Badham	Butler	Crane, Philip
Bafalis	Campbell	Daniel, Dan
Barnard	Carney	Daniel, R. W.
Barnes	Carter	Dannemeyer
Bauman	Chappell	Daschle
Beard, Tenn.	Clausen	Davis, Mich.
Bedell	Cleveland	de la Garza
	Clinger	Deckard



Derwinski	Jenkins	Pursell
Devine	Kazen	Quayle
Dickinson	Kelly	Quillen
Dornan	Kemp	Ratchford
Downey	Kildee	Regula
Duncan, Tenn.	Kindness	Rhodes
Edgar	Kostmayer	Rinaldo
Edwards, Ala.	Kramer	Ritter
Edwards, Okla.	Lagomarsino	Robinson
Emery	Latta	Roth
English	Leach, Iowa	Rousselot
Erdahl	Leath, Tex.	Royer
Erlenborn	Lee	Rudd
Ertel	Lent	Runnels
Evans, Del.	Levitas	Santini
Fenwick	Lewis	Satterfield
Findley	Livingston	Sawyer
Flippo	Lott	Schulze
Frenzel	Lujan	Sensenbrenner
Gephardt	Luken	Shelby
Gingrich	Lunnen	Shumway
Ginn	McClory	Shuster
Glickman	McCloskey	Smith, Nebr.
Goldwater	McDade	Snowe
Goodling	McDonald	Snyder
Gore	McEwen	Solomon
Gramm	Madigan	Spellman
Grassley	Maguire	Stangeland
Green	Marriott	Stanton
Grisham	Mazzone	Stenholm
Guy	Mica	Stockman
Hagedorn	Michel	Stump
Hall, Ohio	Miller, Calif.	Symms
Hall, Tex.	Miller, Ohio	Tauke
Hammer-	Montgomery	Taylor
schmidt	Moore	Thomas
Hance	Moorhead,	Traxler
Hansen	Calif.	Trible
Harsha	Mottl	Walgren
Heckler	Murphy, Pa.	Walker
Heftel	Myers, Ind.	Wampler
Hightower	Natcher	White
Hillis	Nelson	Whitehurst
Hinson	Nichols	Whittaker
Holt	Panetta	Wilson, Bob
Hopkins	Pashayan	Winn
Hubbard	Paul	Wyder
Hughes	Perkins	Yatron
Ireland	Petri	Young, Alaska
Jeffords	Pritchard	Young, Fla.
Jeffries		

## NOT VOTING—32

Ambro	Fish	Mathis
Bereuter	Flood	Nolan
Bolling	Forsythe	Railsback
Breaux	Garcia	Rodino
Chisholm	Glaimo	Rostenkowski
Collins, Ill.	Holland	Sebelius
Conyers	Hyde	Treen
Corman	Johnson, Colo.	Vander Jagt
Diggs	McKay	Williams, Ohio
Dougherty	Marlenee	Wright
Eckhardt	Martin	

## □ 1410

Messrs. YOUNG of Missouri, SKELTON, and VOLKMER changed their vote from "nay" to "yea."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, I was unavoidably detained in Chicago this morning, attending the hearing of the Select Committee on Narcotics chaired by the gentleman from Illinois (Mr. MURPHY). My plane arrived at 5 minutes after 3, and I missed the vote on the privileged motion offered by the gentleman from California (Mr. LUNGREN).

Had I been present, I would have voted in support of the Lungren resolution and voted "no" on the motion to table offered by the gentleman from Indiana (Mr. BRADEMAS).

## PROVIDING FOR SENDING H.R. 111 TO CONFERENCE

Mr. ZEFERETTI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 390 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. Res. 390

*Resolved*, That upon the adoption of this resolution the bill (H.R. 111) to enable the United States to maintain American security and interests respecting the Panama Canal, for the duration of the Panama Canal Treaty of 1977, with the Senate amendments thereto, is taken from the Speaker's table to the end that the House disagrees to the Senate amendments and requests a conference with the Senate thereof.

## □ 1420

The SPEAKER pro tempore. The gentleman from New York (Mr. ZEFERETTI) is recognized for 1 hour.

Mr. ZEFERETTI. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Maryland (Mr. BAUMAN), and, pending that, I yield myself such time as I may consume.

Mr. Speaker, generally after passage of a House bill which is in disagreement with the companion passed bill in the Senate the chairman or chairmen of the committee or committees involved will ask the House to request a conference. This is usually done by unanimous consent so as not to take up the valuable time of the House.

However, last week on a motion to send House Resolution 111 to conference an objection was raised by an opponent of the measure. In this instance it would require the four committees who have jurisdiction over this bill to meet and vote on whether to direct the chairmen of these respective committees to offer a motion on the floor to request a conference. Unfortunately, such a procedure would require a significant amount of time and would have delayed further consideration of this bill.

The Rules Committee has been informed by the chairman of the Merchant Marine and Fisheries Committee that it is imperative for the House and Senate conferees to begin deliberation immediately so as to effectively come to agreement at the earliest possible date.

To remedy this situation the Rules Committee has reported out House Resolution 390 to effectively allow the legislative process on House Resolution 111 to progress without any further delays.

Mr. Speaker, House Resolution 390 is a very simple rule, permitting the House to request a conference on House Resolution 111. The conference procedure after the adoption of this rule will move forward, allowing the conferees to come to some form of agreement, and giving the House opportunity to vote up or down this important piece of legislation.

The House of Representatives has already spent numerous days and countless hours on this measure and I believe it is about time we brought this bill to some form of conclusion and move forward to the other issues we presently have pending before us.

Mr. BAUMAN. Mr. Speaker, the gentleman from Maryland did indeed object to sending this bill to conference when the request was made to do so on last Friday.

I agree that the House has a limit on its valuable time and we should be using it on many issues, but I think in this particular situation, the objection was justified. This is a very important issue.

Under rule 701(d) of the Rules of the House, the Speaker of the House has almost unlimited discretion to name conferees on any matter, and that discretion cannot be challenged in the House. But he also has the discretion to limit the jurisdiction of individual conferees to those parts of the bill that deal directly with the jurisdiction of their committees.

It is proposed that when later today we finally reach the point of naming conferees, at least 18 conferees will be named from four different committees of jurisdiction. I can tell the House, and I think I have some proper judgment, having dealt with this issue in some detail for many months, that the majority of those conferees are not necessarily in favor of the House's position.

I say that without prejudice to the fact that any Member has the right to cast his vote, but I have examined their voting patterns on this legislation; and I do not think that is an unfair estimation of what could happen.

Now I certainly do not criticize the Speaker of the House in any way for using the powers at his command. That is the way the House is run. That is as it should be when you are in the majority. But in this case it could seriously harm the best interests of the American people.

I would suggest to the House that this issue is one of major importance to this country, particularly in light of the ominous developments that are occurring in Latin America even as we debate this today.

When this bill was first brought before the House, H.R. 111 was the product in the most part of the Committee on Merchant Marine and Fisheries, of which the gentleman from New York (Mr. MURPHY), is the distinguished chairman.

The other three committees had limited jurisdiction over parts of the bill and dealt mainly with those parts dealing with Foreign Affairs, Post Office and Civil Service, and Judiciary. And when the rule that was granted by the Rules Committee was brought before the House, it even limited their committee amendments to the areas of their jurisdiction.

Now, what is proposed by the Speaker, and, as I say, it is within his rights that all of the conferees, is that all 18 conferees vote on all parts of the bill. I have no doubt that the other body will name conferees opposed to the House bill; and what may well happen is the House's position will not be upheld.

I suggest to the House that what we are seeing here today on these conferees is part and parcel of a legislative plan of action that was laid out by represent-

atives of the administration, the State Department, the Defense Department early this year, and has been known to us in various forms. We knew what the plan was, and that plan was to introduce legislation in the Senate that would give Panama, the State Department, and the administration free hand in administering the canal for the balance of this century without control of Congress.

I remind my colleagues that under the treaties, the United States has the right jointly with Panama to administer that canal until the year 1999.

The administration plan was to allow the so-called Murphy bill, as we have referred to it in the House, to be reported to the floor, and not to challenge it in any respect, and at no time during the debate or the 5-minute rule was there any amendment offered by opponents of the bill to change any of the elements in the Murphy bill.

In the other body as planned, just the opposite happened. The bill that was reported from the Armed Services Committee by one vote completely guts the House position in almost every respect, and it particularly takes away from the Congress of the United States the right to vote each year on appropriations and authorizations for the canal for the remainder of this century. It completely negates the House's joint right to pass upon the ceding of property under treaties which the Murphy bill upheld. It completely removes the various provisions that would allow the U.S. taxpayers to be protected against unwarranted expenditures from our Treasury.

In other words, the other body's bill bears no relationship to the view that the majority of this House held.

You can go back and look at the debate, which was extended over several days in this House, and you will find the gentleman from New York, the gentleman from Maryland and others said that if a bill was finally before us in conference report form, that did not uphold the House's position, that he would oppose it, that I would oppose it, and we both would urge the majority of the House to oppose it. That could yet happen.

I have to tell my colleagues that I think the President of the United States is in the instance playing roulette with the future of the Panama Canal, because if we do not have by October 1st implementing legislation, the President of Panama has made clear his intentions in a letter which he sent on July 10 to the President of the United States, and I would refer my colleagues to page 20822 of the RECORD of last Thursday, where that letter is introduced into the other body's proceedings.

President Royo has made it clear in that letter that he has already rewritten the Panama Canal treaties. In many important respects he has already negated the understanding of the two parties, and he views the legislation before the conference as a test of whether or not Panama may abrogate the treaty from the beginning and even appeal to international forums.

So I think we do need legislation, but what you are seeing in the issue of appointing these conferees is an attempt to surrender the House's position before the meeting ever is held; an attempt to come back with legislation that would negate the House position. I would rather go to conference and write a bill. I am going to support the House position. I think most of our conferees from the Merchant Marine and Fisheries Committee, which had the jurisdiction over the major part of this bill, would do the same.

I opposed the bill when it passed the House, but I am willing to support it in conference now that the House position is known.

But I can tell my colleagues frankly this is another step in the sell-out of the American interests in the Panama Canal. It is a legitimate one in the sense of our rules, but it is not one that we ought to support, and when the time comes and a motion to instruct is offered, I hope that you will support it with your vote.

I reserve the balance of my time.

□ 1430

Mr. ZEFERETTI. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Merchant Marine Committee.

Mr. MURPHY of New York. Mr. Speaker, the provisions of the bill that provide for authorization and appropriation control over all obligations and expenditures by the Panama Canal Commission go to the heart of the bill. Under the Senate amendments to the bill substituting a Government corporation for the appropriated fund agency established by the bill as it passed the House, the Commission would not be subject to any general limitation on the amount of its expenditures and obligations, other than an annual limit on selected administrative expenses. The provisions of the bill as it passed the House require all revenues from tolls and other sources to be paid into the Treasury, and require both authorization and appropriations. Appropriations are limited to the amount of revenues paid into the Treasury. Without such requirements revenues collected by the Commission could be increased by changes in rates of tolls, and spent freely in the discretion of the Commission.

As a result the canal operation under the new treaty, far from continuing on a self-supporting basis, would tremendously increase the burden on the U.S. taxpayers.

The Panama Canal Treaty provides that the United States will operate the canal for the next 20 years through a U.S. Government agency established by and in conformity with the laws of the United States. H.R. 111, as it passed the House, establishes such an agency subject to the laws applicable to Government agencies generally. As is the case with other Government agencies, the bill locates the agency in the Federal organization by making the Commission subject to direction by the Secretary of Defense.

As the bill passed the Senate, the form of agency established by the House is discarded and an agency in corporate

form is substituted. The characteristic attribute of a corporation is that it is an entity separate from its owners and has independent rights and authority. The Senate bill clearly contemplates that the Panama Canal Commission will be such a separate entity, distinct from its owner, the United States, and exercising powers of disposition of assets of the United States vested in the Commission by the bill. The provision for direction by the Secretary of Defense is also omitted.

The House should insist on the retention of the provisions of the House bill on these points, particularly in view of the official position of the Government of Panama that under the treaty the Commission is not subject to any higher authority in the Government of the United States.

Under the Panama Canal Treaty, Panama is to receive: First, a payment of \$0.30 per Panama Canal net ton, an amount that will be adjusted for inflation; second, a fixed annuity of \$10 million; and third, a public service payment, which initially will be \$10 million and will be adjusted for inflation. Additionally, Panama is to receive a contingent payment of up to \$10 million per year out of surplus revenues.

The fact that the House version of House Resolution 111 sets standards for the reception of the contingency payment is not at all remarkable. Within the text of the Senate bill and even the earlier language proposed by the administration, standards are set. The Panama Canal Commission, by the terms of article III of the treaty, is to be an agency of the U.S. Government. As such, it will determine the priorities for its payments in accordance with the laws constructed to guide its operation. Moreover the understandings to the Panama Canal Treaty give the United States discretion in this matter. Conceptually there is no difference between the views of the executive branch, the Senate, and the House on this issue—although President Royo's letter to President Carter makes it clear that Panama feels they must receive the payment.

Finally, with respect to the property transfer provisions contained in sections 373 and 374 of the House bill, significant constitutional issues involving powers of the House are at stake. If the House does not act as the trustee for its own significant powers, these powers will atrophy.

The Edwards against Carter case is not an overriding precedent against a House role in property transfer because: First, the Supreme Court, which refused to hear the case on appeal, has never overturned decisions which say the property transfer power belongs exclusively to Congress; and second, the Edwards decision said the property power was concurrent, which of course in no way precludes legislation on the subject of property transfer.

The disposition of Panama Canal property has always been accomplished in accordance with legislative authorization. The Panama Canal Treaty and the Executive have sought to skirt the Congress on this matter. We cannot



allow that to happen. It would be a disaster for one of the principal powers conferred on this body by the Constitution.

Mr. BAUMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Speaker, I am surprised that this issue of possibly instructing conferees and of selection of conferees became such a major issue since it had gone through the Rules Committee. It is my understanding that when this side of the aisle designated Mr. BAUMAN as one of our members of the Rules Committee, that he would totally dominate that body. I am surprised that a rule would be brought to the floor that would not please Mr. BAUMAN. But since he did prevail the way he should have, I can understand the need for a motion to instruct conferees.

Also, as I listened to the gentleman from Maryland, I must take exception to some of his slightly critical comments about the President. I happen to think that President Carter, even with the many faults that he has, is an intellectually honest individual. On the canal issue he is doing what he thinks is best for the country. I happen to think it is best for the country to pass the implementing legislation.

However, the issue before this body is a bit different under any normal procedure, and even the implementing legislation, there should be an honest effort in conference to protect the position of this body. That is something that we expect of conferees, but that is something we do not always get because too often what happens is that a conference is dominated by people who go a little beyond the House position or short of the House position. In this particular case I think my friend from Maryland is correct, that the intention is that the House conferees would not, in fact, fight for a fair portion of the House bill, but would, for all practical purposes, acquiesce to the other body's version.

Now, the other body passed their implementing legislation in an almost perfunctory fashion. I do not think they gave it a good, hard look, as they did, of course, 2 years ago when they passed the treaty. So I would think, keeping in mind the priority, and the priority should be first and foremost protecting to a degree possible the House position, that I believe, as a supporter of the implementing legislation, as a supporter of the President's basic diplomatic effort vis-a-vis Panama, I believe that the motion to instruct should be adopted. I do not think that does a disservice to the position of the President, nor do I think it will do a disservice to the final legislation that we must have in place to implement the treaties.

As one who stuck his neck out in support of the implementing legislation, I would recommend to all of my fellow colleagues that they give our conferees the first expression of support that they deserve. Please accept the motion to instruct. The motion will be limited to specific items that I think will equip them well to deal with the other body.

The final version, as always, will be a compromise between the two bodies. I would urge support for the forthcoming motion to instruct.

Mr. ZEFERETTI. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. BOWEN).

Mr. BOWEN. Mr. Speaker, I do not think we need to take a great deal of time at this particular moment today to debate the issue of instructing conferees. It is my understanding that an hour will be available when the gentleman from Maryland offers his motion to instruct conferees, and I will oppose the motion at that time.

□ 1440

But, I do hope that Members will proceed as rapidly as possible at this stage to approve House Resolution 390 so that we can proceed to the conference and resolve this matter. It would be of great value to this Nation if we could complete the conference this week and bring back a conference report.

I have served on a good many conference committees during the 7 years that I have served in this House. I have never found it to be desirable to instruct conferees. I happen to feel that we could much more easily arrive at a desirable conclusion in that conference if we did not instruct.

The Senate, incidentally, has adopted 61 out of the 100 sections of the bill passed by the House. I think the Senate has done rather well in agreeing to a great deal that is in the House bill. Certainly, there are some significant items—very significant items—which of course the Senate did not agree with us on, but I think there is room for compromise in that conference. I hate to have to disagree with the position taken by my good friend, the gentleman from New York, the chairman of the Committee on Merchant Marine and Fisheries (Mr. MURPHY), and I am probably more often in a position of disagreeing with my friend, the gentleman from Maryland (Mr. BAUMAN), but I must oppose the motion to instruct. I do hope now that we can proceed rapidly to a vote on this resolution. Then, we will have an appropriate debate, I think, for the purpose of deciding whether or not we will instruct the conferees.

Mr. BAUMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Idaho (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I think it is good for us to refresh our memories as to what has happened since the House of Representatives first voted on June 21 to implement the Panama Canal treaties by passing H.R. 111.

Since then, an allegedly secret memo from U.S. intelligence agencies to the Department of State was made public. The memo dated May 2, 1979, was cited heavily by members of the national press. The memo was circulated widely in press and governmental circles, and has subsequently been validated by the State Department. The memo clearly affirms that Cuba and Panama were in constant collaboration since September of 1978, to subvert and communize the

rest of Central America with current major efforts being focused in the upper tier nations of Nicaragua, El Salvador, Honduras, and Guatemala.

Since then, Cuban weapons and military advisers (including members of Castro's elite Africa Corps) were flown into Costa Rica on Panamanian Air Force planes to help the Sandinistas in their final offensive.

Since then, large quantities of arms were also provided to the terrorists by Iran, Libya, Iraq, and the Palestine Liberation Organization, which believed that the Somoza regime was pro-Israel and was receiving weapons from Jerusalem.

Since then, Panama, has been running guns, both legally with the complicit knowledge of the State Department as well as illegally, from the United States to the Castro-backed Marxist Sandinista revolutionaries operating in Costa Rica, Nicaragua, and neighboring countries.

Since then, the countries first recognizing the Sandinista junta were: Panama, Grenada, Syria, Iraq, South Yemen, Libya, and Iran.

Since then, Panamanian officials have been blatantly brazen about their involvement in terrorist activities, claiming that such involvement has brought great pride to the Panamanian people.

Since then, in the July 2 issue of Newsweek the administration claimed—

That leaders of two of the three guerrilla factions had received training in Havana and that Cuba had channeled Soviet-made arms to the Sandinistas through Costa Rica and Panama.

Since then, on June 25 an EFE Wire Service report stated that a captured Costa Rican flight crew testified that the traffic of arms to the Sandinistas was intense. The crew said that the arms were being provided by Panama and Venezuela and sent to Costa Rica for delivery into Nicaragua.

Since then, the Consul General of the Dominican Republic in Philadelphia was arrested with three accomplices on charges that he plotted to sell arms and ammunition to the Sandinista guerrillas in Nicaragua. This gunrunning was being financed by the sale of cocaine in the United States. The weapons were again to be transported to the terrorists with the assistance of the Panamanian Government.

Since then, Panama assisted in an outright invasion of Nicaragua from Costa Rica in direct violation of the charters of both the United Nations and the Organization of American States, as well as the terms of the new Panama Canal treaties.

Since then, the House found out that it had the right and power to deal with the merits of treaties, even to amending or repealing them.

Since then, the revolutionaries began the bloodbath in Nicaragua with eight executions.

Since then, the Marxist revolutionaries shut down even the leftist press in Nicaragua.

Since then, the Marxist government in Nicaragua asked the United States for military assistance.

Since then, the Marxist revolutionaries arrested 5,000 soldiers from Red Cross centers for trial on charges of antirevolutionary activity.

Since then, major Sandinista leaders flew to Havana to celebrate the July 26th birthday of Marxist revolution in Cuba.

Since then, the Soviets put a combat brigade into Cuba.

Since then, Cuba shifted 3,000 combat troops from its Africa Corps to Costa Rica.

Since then, Mexico privately urged the United States to prevent the fall of Nicaragua to a Red revolutionary government.

Since then, Panamanian President Aristides Royo lied to the American people and the Congress when he stated in a letter dated June 5, 1979, to President Carter that "Panama is not intervening (in Nicaragua) and will not intervene in the internal affairs of any country." The May 2 intelligence memo clearly exposes the untruth of this statement.

Recent events in the Caribbean are alarming. The Soviets have established a command structure in Cuba for a 6,000-man brigade of combat-ready troops in violation of the Kennedy agreement. Marxist revolution laps at the very door of Mexico. Cuba has its Africa Corps in Costa Rica and deep involvement in Nicaragua and other nations. How long will it be before we abandon the absurd notion that we can win friends among leftist revolutionary countries to the south by the bribery of giving away the Panama Canal and with it our own safety and our economic stability?

Panama itself has been the gunrunner for Central American Marxist revolutionaries with direct involvement with Cuba, the PLO, and other leftist Arab States, and in violation of U.S. law.

Whatever this body judges best about implementation, I urge that it be done on the merits and not in haste under the lash of contrived deadlines caused by the administration's own dilatory tactics.

Mr. Speaker, last Thursday the Senate passed the administration's Panama Canal implementation bill which it deceptively called H.R. 111 as amended. By Friday, an attempt was already underway to have the real H.R. 111 and the disguised administration bill rushed into conference under circumstances which would have seriously undermined the House position.

Only a delay caused by the vigilance of Merchant Marine and Fisheries Committee Chairman JACK MURPHY and ranking Panama Canal Subcommittee member BOB BAUMAN and others slowed this railroad job down, otherwise, this House might today be considering a conference report to recede and accept the administration's implementing legislation.

This should not surprise us. The President told a delegation of House members, including Mr. MURPHY, and Mr. BAUMAN, even before we considered H.R. 111 that, since he could not get his bill in the House, he would take H.R. 111 here and then replace it with the administration

bill in the Senate. Even knowing of this strategy, the House ironically voted to play the President's game and now we are considering a rule designed to complete the farce of making us participate in our own humiliation.

It is well known that I have always opposed the new Panama treaties and their implementation. Despite my misgivings, with the support of many Members, I offered amendments to limit the damage of the treaties to our economic and defense interests. Many other Members offered amendments with the same general goal of curing the defects in what even Mr. MURPHY has called a vague and unsatisfactory treaty.

Almost without exception, meaningful perfecting amendments were defeated. The ones with which I was associated lost by the narrowest of margins. Members will remember that the principal elements of those defeats was the insistence by Mr. MURPHY that H.R. 111 had to be preserved intact as the best and, indeed, only vehicle for saving the American position in the light of the defective treaties and because it had administration support.

It is in this state of the case that I rise to ask this body to protect itself and preserve what remains of its integrity, its prerogatives, and its rights by rejecting this rule. If Mr. MURPHY's statements of June 20 and 21, 1979, are to be believed and I accept his sincerity without reservation, there is no possibility of honorable compromise between H.R. 111 and the fake which has come from the Senate. On June 20, Mr. MURPHY said:

The gentleman from New York has no intention of going to a House-Senate conference and caving in to any position that is short of H.R. 111.

On June 21, he said:

We will come back with a conference report, and I will guarantee the gentleman from Idaho and the gentleman from Maryland and every member of this House that we will keep intact the principles which we establish in H.R. 111.

Trusting the gentleman's word, with any hope of guarding the House position, how can we send him to conference when everyone in this Chamber knows that the House delegation to the conference is being selected from among those who will not object to the gutting of H.R. 111. There is no other reason for this rule being before us now. For what reason was the unanimous-consent route withheld if not the attempt to load the conferees with supporters of the administration bill as passed by the Senate. No one doubts Mr. MURPHY's intentions. But we are receiving a clear signal from the White House that we can be manipulated and that we can do nothing about it. The President said he would play it this way and we are gullibly letting it happen.

If this House has no real power to influence the course of the Nation in so crucial a matter as the transfer of the Panama Canal, why are the very people who tell us we are impotent so anxious

to rush us into accepting less than H.R. 111. There is an orderly and even-handed way to adjust the differences between the two versions—if they can be adjusted at all. But we are being told that we must hurry. That there is no time to stop and think, and that we have little authority anyway.

I ask the House to remember that the Senate debated implementing legislation for less than a day and the House for less than a day and a half. A total of less than three days were devoted to implementing treaties which will change the history of the Western Hemisphere if not the world. Right to the very end, we are rushed to prevent reflection on what we are doing.

June 21 is only a few weeks ago. Yet in just that brief period of time since passage of H.R. 111, our position in the Western Hemisphere has materially eroded. Cuban-backed Marxists have taken over several Caribbean nations and are beginning the assault on others.

Even worse, we now know that the House was denied critical facts by the administration. The President of Panama before June 21 denied that his government was exporting revolution in Central America. Now, after the House vote, he freely admits it. Before House action, Cuba denied its involvement, now it boasts of training, organizing, and supplying revolutionary activities in the Caribbean. This has all been officially corroborated by a May 2 intelligence document withheld from Congress by the State Department during our hearings and consideration of Panama Treaty implementing legislation.

I refuse to believe that this House will accept the role of children to be gulled, lied to, and manipulated to force upon us a treaty which even the author and principal supporters of H.R. 111 consider a disaster. We must here decide whether in a matter which clearly concerns the very survival of the Nation we can be relied upon to put responsibility above partisanship and the self-destructive inertia of the system.

Much has been made over the legal limitations of the Congress in implementing treaties. There are two simple answers to such doubts and concerns. First, there is clear evidence that the Congress has always possessed and exercised the right to review, amend, repeal, and repudiate treaties. There is no substantive basis for avoiding our duty to protect and preserve the Nation.

And second, beyond legalities, there is a much more profound question. Are those who suggest that we must blindly rubberstamp this treaty prepared to say that, even had we the sure knowledge that the treaty would imperil the Nation, that we would be compelled to accept potential destruction rather than carry out our oaths of office? For we are surely endangering the safety of the Nation in implementing this treaty.

This rule is an affront to the deliberations of this House on H.R. 111. It is an attempt to make Judas goats out of honorable people by subverting us to an acceptance of the administration bill which



we so totally rejected more than 6 months ago.

I strongly urge the defeat of this rule.

Mr. BAUMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. BETHUNE).

Mr. BETHUNE. Mr. Speaker, on June 21 I voted for the implementing legislation, H.R. 111. I also voted for the Hansen and Montgomery honesty amendments, because I believe that H.R. 111 was the minimum that we could do, and still discharge our responsibilities. But, I did believe and I do believe now, that H.R. 111 was the maximum that we should do. After that day's proceedings I advised the committee chairman that I had done all that I could do on the House bill.

I did that in good faith. As the gentleman from Illinois said, I stuck my neck out on that issue. But, I do not think in all honesty that the bill would have gotten my vote, and I do not think it would have passed this House, had the representation not been made over and over that H.R. 111 would remain intact, and that we would fight for it when we got to the conference committee. So, I want to make the point again that if this implementing legislation comes back to the floor in a more liberalized form, or closer to the President's position, that I shall vote against it.

Mr. BAUMAN. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. CARNEY).

Mr. CARNEY. Mr. Speaker, hundreds of hours have been spent on this bill, both in subcommittee, full committee, and on the floor of this House. In an unprecedented move, this House went into secret session to further debate the issue.

It is no secret that this Member opposed the bill, H.R. 111. I opposed it in subcommittee; I opposed it in full committee; and I voted against it on the floor of the House. But, I think we are getting down to a crucial time in our history, and I think that if we have any intentions to have any type of implementing legislation passed by October 1, the only way we can proceed to do that is to support the motion to instruct the conferees to support the House-passed bill.

It is the best of two totally unacceptable bills in the eyes of the majority of Americans.

□ 1450

I think it is a matter of record that many Members of Congress who voted for H.R. 111, will not support the conference report unless the bill remains essentially the same. As my colleague, the gentleman from Arkansas (Mr. BETHUNE) who just got up in support of the motion to instruct said, these Members will switch their votes and not support implementing legislation, and that perhaps could be the worst thing that could happen at this time and at this date for our country.

Mr. BAUMAN. Mr. Speaker, it is not my intention necessarily to ask for a vote on the rule. I think we could pass on to a motion to instruct conferees. I yield back the remainder of my time.

Mr. ZEPERETTI. Mr. Speaker, I move the previous question on the resolution. The previous question was ordered. The resolution was agreed to. A motion to reconsider was laid on the table.

MOTION OFFERED BY MR. BAUMAN

Mr. BAUMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BAUMAN moves that the conferees on the part of the House on the disagreeing votes of the two Houses on the bill H.R. 111, be instructed to adhere to the language of sections 101, 102, 103, 104, 105, 110 of chapter 1; sections 231, 232, 233, 234, 235, 236, and 250 of chapter 5; sections 371, 372, 373, and 374 of chapter 9 of H.R. 111 as passed by the House with respect to the matters considered therein.

The SPEAKER pro tempore. The gentleman from Maryland (Mr. BAUMAN) is recognized for 1 hour.

Mr. BAUMAN. Mr. Speaker, as I yield throughout whatever time we may consume, I yield only for the purpose of debate. I yield 30 minutes to the gentleman from New York (Mr. MURPHY) for purposes of debate only.

Mr. Speaker, I understand that there will be several speakers on this motion, some in opposition, and I will only briefly explain the terms of the motion. A number of the sections of H.R. 111 read are unitary in the sense that all deal with one of four topics which were addressed in the "Dear Colleague" letter that the gentleman from New York (Mr. MURPHY) and I sent around on Friday and which I think most Members have before them.

First of all, the most important part of this motion to instruct is to insure that during the life of the Panama Canal treaties until 1999 this House and the other body will have, on an annual basis, the right to pass on authorization and appropriation legislation controlling the entire budget of the Panama Canal. Without this, I think that this legislation should be rejected by this House, and the other body's bill does not provide that protection for the taxpayers of the United States.

Second, this motion will insure that the Panama Canal Commission, which will administer the affairs of the canal with a 5-to-4 American majority, will remain an agency of the Federal Government as the treaties require. The other body's position is contrary to this and allows the Commission to operate as an independent corporation.

Third, and very importantly from a constitutional viewpoint, the motion will require that the right of the House of Representatives to pass upon the ceding of territory of the United States is vindicated, which is part of the Murphy bill, and has been rejected by the other body. Lastly, and I think this is important to the taxpayers, the motion insists upon those provisions of the bill which will assure that there would be no contingent payments made to the Government of Panama under article XIII(c)4 of the treaty during the life of these treaties unless and until all costs of the U.S. taxpayers in running the canal are paid first. The other parts of the bill, which

are considerable, are open to negotiation between the conferees. I would like to have instructed on more matters, but these are the essential points that the gentleman from New York and I discussed last week and agreed on as a minimum to be included in the motion.

I reserve the remainder of my time.

Mr. MURPHY of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi (Mr. BOWEN).

Mr. BOWEN. Mr. Speaker, in reading the "Dear Colleague" letter which I received on this subject, I find that I am in agreement with several of the principles that are stated there. Last year, for example, I signed, I think, just about every petition and voted for every resolution that came before us supporting the position that the House should have a direct voice in the disposition of property of the United States.

The point that I am making to you today in opposing the motion to instruct is simply that I believe that we can work out language which the House will approve more easily and more effectively if we do not set ourselves in concrete on the issue.

I think we can establish the principle that the gentleman who offered the motion would want to see established, that we here in the Congress should have annual authorization and appropriation control over the budget of the Panama Canal Commission, if we are not bound rigidly to one position, with no flexibility over change in language or detail of wording.

In short, what I am saying to the Members is that I do not believe that we will get the kind of cooperation out of the Senate which we want if we throw the gauntlet down to them in this fashion. I think we are going to want the Senate to recede to us on a number of matters, and I think they can be just as stubborn and hardheaded as we can be here in the House.

I regret that, but I am afraid we are going to have to ask them to give in to us in a number of areas, and I hope that they will. But I believe that supporting a motion of this kind simply presents a challenge to the Senate to see if they cannot instruct their conferees, too, and to see how long we can protract this conference, just how long we can drag it out, see if we can drag it out with failures to compromise, see if we can remove any possibility for any face-saving compromises, see if we can draw this thing out until after the recess, and if we do that, then, of course, we are faced with a situation in which we are creating great jeopardy for the national interests of this country.

We would be creating a situation in which the employees of the Panama Canal Company have no idea what is going to happen to them, and we would make it much more difficult to pass legislation and have it in place by October 1 if we fail to complete this conference and bring back the resultant conference report to both Houses and pass it this week.

So I sincerely think that by nailing down our position in this rigid fashion

we make it more difficult for the Senate to make some of the concessions that I think are always needed in a conference.

I think I probably do agree with most of what the gentlemen supporting this motion want to come out of conference. I just happen to think we can achieve it more effectively and more quickly if we go at it without providing these instructions.

I would mention to the Members that one of the problems that we would be creating for ourselves if we do accept the resolution is that we will have to be voting constantly on transfers of property. I think we can establish a principle that the House has the right to have a voice in the transfer of property without coming back here with dozens and dozens, and perhaps hundreds of votes over the next few years on property transfers.

Let me give the Members an example. If we pass this, and if the conference report contains that language, as spelled out in the House bill, within 1 year we will have to come back in, and all of us are going to have to vote on the disposition of three Defense Mapping Agency buildings; within 2 years, two Army Meddack warehouses; within 30 months, the Balboa Police Station complex, the Balboa Magistrates Court, and the Balboa and Coco Solo commissary buildings; within 3 years, family housing units, two warehouses, an antenna farm, and barracks facilities.

One after another these things are going to have to come before us in the House until the year 2000. I think we have enough business to keep us well occupied here in the House of Representatives without having to vote on these issues, item after item, year after year after year.

I am simply saying we can arrive at a compromise in the conference if we retain for ourselves the flexibility we want. The Senate, as I said, can be just as hardheaded about it as we can.

I feel that it will be easier to bring back a good compromise and more easily assert the House position if we do not adopt this motion.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. BOWEN. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. I appreciate very much my colleague, the gentleman from Mississippi, yielding. I certainly have great respect for him and the tough position he has taken on this treaty issue. But I am a little confused. The gentleman in the well told me a few months ago the reason that he had taken this position.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MURPHY of New York. I yield 2 additional minutes to the gentleman from Mississippi (Mr. BOWEN).

Mr. MONTGOMERY. If the gentleman would yield further, the gentleman told me that he opposed the treaty that was hammered out in Panama by the administration because he thought it was a bad treaty.

Mr. BOWEN. That is correct.

Mr. MONTGOMERY. And I think he told the people in Mississippi that.

Mr. BOWEN. That is correct.

Mr. MONTGOMERY. Now he tells us today that he did adopt some of the amendments, and he did a lot of work on the House position. I am confused as to why he does not support the House position and give more strength in instructing the conferees.

Mr. BOWEN. The reason is very simple. While I think we are very wise here in this House, I think there might be some repository of knowledge in the other body. I have taken the position, I think, with every conference I have ever served on that there should not be rigid instructions provided. I just do not like the principle of providing instructions for conferees, and I think that we can more easily bring back to this House an acceptable conference report, which is absolutely necessary, without this motion. I think the legislation is necessary although I opposed the treaties. Some kind of treaty management legislation must be passed.

□ 1500

Mr. MONTGOMERY. If we do not, what happens then?

Mr. BOWEN. If we do not have legislation, then, of course, as I have pointed out to the gentleman, and as others have in this well, then at some point later this year the Panama Canal will be transferred to the Republic of Panama, the United States will give up its right to administer the canal, we will have to withdraw our military forces and instead of our staying there until the year 2000, it will be their canal this year.

Mr. MONTGOMERY. I do not want to put the gentleman on the spot but what the gentleman says is if the Senate position prevails, the gentleman will support that position?

Mr. BOWEN. I am not going to that conference to support the Senate position. I expect to support the House position. I do not happen to believe it is wise to try to provide instructions of this kind which simply toughen and harden the Senate position, make them less willing to yield to the points on which the gentleman from Mississippi is addressing me and which both he and I support.

Mr. MONTGOMERY. I understood the President to tell a group, and I am not sure whether you were in the group, at the White House, that the administration position was going to prevail and the President would not support the House.

Mr. BOWEN. There is no way the administration position can prevail because the Senate has already adopted 61 out of 100 of the sections in the House bill, H.R. 111.

We have a bill and I have supported a bill which differs substantially from the White House bill. There is no way we are going to bring anything that looks very much like the White House bill back here to this House. I have worked for these differences, and I believe we have a bill far superior to the original White House bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MURPHY of New York. I yield 3 minutes to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR of Michigan. Mr. Speaker, I would like to reiterate some of the points that my colleague from Mississippi has listed for you here this afternoon. It just seems to me by instructing the conferees on this important piece of legislation that we will be, if you will, tightening both sides in terms of how we resolve the issue. I think that, in fact, could be damaging to the legislation and to the treaty, itself, but it is even more damaging when we consider the fact that the implementation of this treaty goes into effect on October 1. That gives us about 2 months in which to have something on the books in which the present Governor of the Panama Canal Zone and his people down there can begin to implement the legislation we have before us.

I think the gentleman from Mississippi is correct when he speaks about the political implications in what we are going to do. I do not think the Members of this House want to come back and face this issue time and time again, year after year, with the disposition of property.

Let me point, also, to the fact if we do not reach an agreement this week by the time we adjourn, it seems to me this issue will be with us, it is going to linger, it is going to fester, it is going to be an issue which I do not think too many Members of this body want to carry with them into the coming election year, to be very frank and honest with you.

Mr. Speaker, it seems to me we need some room for movement, we need some room for flexibility in this conference. The issue that the gentleman from New York (Mr. MURPHY) my distinguished chairman, refers to as the guts of the bill: The corporation form versus the appropriated agency form, is one which I think we can work out, despite the differences we had between the House and the Senate on this issue. There have been compromises offered in this body and in the Committee on Merchant Marine and Fisheries that I think resolves the issue and gives the House the authority to deal with the question of operation of the canal through the authorization and appropriations process which we have not had a chance to express ourselves on the floor or to vote on it in the full body.

I would hope, Mr. Speaker, as a matter of principle, we do not instruct our conferees, we do not put our feet in cement, that we have that flexibility because the flexibility is tremendously important in view of the fact we only have 3 or 4 days in which to reach a compromise so we can get the implementing legislation into effect.

Thank you, Mr. Speaker.

Mr. MURPHY of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mrs. SCHROEDER).

Mrs. SCHROEDER. Mr. Speaker, I truly want to thank the gentleman from New York for yielding to me and



I really want to compliment him for the time and the energy he has spent on this Panama legislation. This has been a long year, working hard, and I think the gentleman has made some tremendous improvements in what we saw when we began the hearings on the Panama Canal implementation legislation.

My committee, the Committee on Post Office and Civil Service, held extensive hearings in Panama and also worked very hard on this legislation. There have been many committees in the House who have worked very hard on this legislation. The whole House has also had a historic secret session on Panama. I think the House and Members are probably more informed about the issues surrounding Panama than almost any other issue we have had before us this year.

That is why I think the motion to instruct is really not needed at this time. I think, first of all, it does several things. It sets our side in cement. It is almost saying to the Senate, "We assume you are a sell-out to the administration, only we can be trusted."

I do not know any Senator who really feels he has sold out and I think they would be offended if we imply that by passing these instructions. Please allow the conferees a little flexibility in dealing with the Senate. I guess I have always been a person who believes you do better to take carrots rather than great big sticks. This heavy set of instructions is a stick.

If the conferees get there and we find out the Senate is being terribly reticent and will not listen to anything we say, then we can come back and say, "Give us a motion to instruct. To show our solidarity."

I plead with the House to give the conferees a chance. We should allow free and open discussion to work before we prejudge. The Senate has already accepted 61 of 100 House provisions and 61 percent is not bad before you even get to conference.

If we decide on every bill we pass that the House is going to insist on its position and the Senate is going to insist on their position then we are not going to get anywhere legislatively. It will be a parliamentary gong show.

What is at issue and why is it so important? First of all, we are looking at October 1 as a very important date. It is the date the canal treaty is supposed to take effect.

We know how serious energy has been to this country. We know how difficult things are in that part of the world at the moment. What would happen if it appears the Americans were not going along with the treaty? What would happen if the canal shut down? What would happen to us getting oil supplies through? How much more energy would we have to expend to send our shipping down through Tierra del Fuego? I think if that were to happen because this body did not get legislation out because of gamesmanship we would certainly be faulted. After all the work the House has done we have to be worried about it being derailed now.

I hear many Members who are very concerned about the political stability in Panama, Nicaragua, and that part of the world. I understand what they are saying. All of us are concerned. Even the Senate is concerned.

Let me talk a little bit about some of the things we have seen in history. We do not talk about history enough. I can think of over 22 different nations that we thought at one time were fully in a Marxist mold who have since changed. I think some of the ones that come to mind the most are countries such as Egypt, Indonesia, Sudan. There were times when those and at least 22 other countries we had almost written off and been very worried about.

When people say there is no way to work rationally in that area of the world, it has gone down the tubes, write it off forever; history shows that could be the worst strategy possible. There is a lot of potential for positive input in Central America and I think it is all the more important that we as a legislative body appear calm, cool, and collected. We should not react hysterically and go out there with 435 different Secretaries of State deciding what our policy should be, amending and changing it at will every day.

All House conferees are going to go to conference under the leadership of the gentleman from New York (Mr. MURPHY). We are going to fight very hard for the House position. We have already been very persuasive, and I think this notion to instruct is not needed. If we find it is needed we can always come back and ask for instructions.

At this time I think we set a dangerous precedent. We are only asking the Senate to show that they can be just as stubborn. We could end up having some kind of a standoff that might not be so important except for the impending August recess and the impending October 1 deadline on which date the canal treaty goes into effect whether or not we have acted.

I plead with my colleagues to think long and hard before they vote to instruct. I hope they give the conferees maximum flexibility to deal with the Senate. Remember, if we do not get what we want we always have the option of being able to turn down the conference. It is not like the House is giving unbridled authority to conferees to go off and negotiate any way that we want to and that the House will never have another say about it.

□ 1510

The responsible vote is to proceed to conference and to proceed in the way that we normally proceed in conferences, giving both sides a chance to work out an agreement.

Mr. MURPHY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CHARLES WILSON).

Mr. CHARLES WILSON of Texas. Mr. Speaker, I will not take the entire 3 minutes.

I think we all know what this is about. The administration knows that they simply could not have passed the Panama Canal enabling legislation on the floor of the House without the bill being in the form that the House passed. Now they

hope to take it to conference, and with a rather convoluted method of appointing members they feel they have conferees who will recede to the Senate on all the important points.

Now, what we are really talking about this afternoon is something no one has yet mentioned; Panamanian adventurism in the affairs of other Central American countries. Nicaragua was first, and I do not think there is any question but that Guatemala and El Salvador will be second and third.

Are we in the House going to say, "Yes, Mr. Torrijos, we approve of your adventurism. We approve of your effort to export your revolution. We approve of your effort to destabilize your neighbors."

If that is what we want to do, then we will vote against the instruction motion. If we want to say, "No, we think that your actions in the last 6 months have been such that we do not have confidence," then I think that our proper action will be to vote for it.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. CHARLES WILSON of Texas. I certainly do.

Mrs. SCHROEDER. Mr. Speaker, I am fascinated by how the gentleman characterizes all this. I am a conferee and I am totally unaware of any great plot or little plot by the administration to resurrect their bill. I do not understand where the gentleman is getting these rumors. Could the gentleman tell me where he is getting them?

Mr. CHARLES WILSON of Texas. I think I can explain it to the gentleman. I am not sure that I can understand it for her.

It is reasonably simple to me. The administration simply does not think that Panama will accept this legislation as the House passed it and they do not think that the House will pass it the way Panama will accept it; so now the effort is to go to conference to get the Senate bill, and the gentleman knows that.

Mrs. SCHROEDER. Well, if the gentleman will yield further, though, I resent the implication that those of us who are conferees have met secretly and agreed to be administration lackeys.

Mr. CHARLES WILSON of Texas. Well, it is my time, and I will tell the gentleman that I could not be more distressed with the gentleman's distress. I am just beside myself.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. BAUMAN. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. Speaker, so that we can let the gentleman from Colorado in on the deal, may I explain to the gentleman that earlier this year when the Committee on Merchant Marine and Fisheries was considering the Murphy bill, it became apparent to the lobbyists for the State Department and the administration that there was no chance that their dear little piece of implementing legislation, which turned the canal over to Torrijos for the rest of the century, would see the light of day.

There was, therefore, held in the inner councils of the administration a series of conferences out of which several

points were made. First of all, it was decided that the administration's bill would not even be submitted on the House floor as an amendment.

Second, they decided that the only issue that they would really fight would be the Hansen amendment, the so-called honesty amendment.

Third, they decided that the provisions of the bill of the gentleman from New York (Mr. MURPHY) would not be challenged separately by any amendments on the floor.

We did not see the gentleman from Mississippi (Mr. BOWEN) or anyone else who has been cooperating with the State Department throughout this period offer any amendments to strip any of these provisions out of the House bill.

The internal administration decision was made that all the issues would be fought instead on the floor of the other body.

Now, the President of the United States indiscreetly told us that was the plan at a meeting at the White House several weeks after this strategy had been plotted; so from the beginning the deal has been, squeak the bill through the House in any form you can get it; even if it has an ugly face on it from the viewpoint of the Panamanians and the State Department, and once you get it in the other body, then the administration would really go like gangbusters. And that is the scenario they have followed to this day.

That is what the naming of these conferees is, all part of that arrangement to undermine the stand taken by this House.

Mr. CHARLES WILSON of Texas. Mr. Speaker, I appreciate the gentleman clarifying the situation for the gentlewoman from Colorado. I was unable to explain it properly.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield further?

Mr. CHARLES WILSON of Texas. Yes, I yield.

Mrs. SCHROEDER. Mr. Speaker, I find this wonderful, but it sounds more like a script from Walt Disney than something that actually is going on or has gone on. This is all fantasy.

Mr. CHARLES WILSON of Texas. Mr. Speaker, I think the gentlewoman has it exactly and I would like to associate myself with the gentlewoman's remarks.

Mr. BAUMAN. Mr. Speaker, I yield 6 minutes to the gentleman from Idaho (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I rise in support of the motion to instruct the conferees on H.R. 111. There can be no doubt that the areas for instruction laid out by Chairman MURPHY and Mr. BAUMAN must be preserved in any report returned by the committee. However, I remind the Members that there is much more which the other body has changed than these areas.

Undoubtedly, it is only because of the sheer volume of change that the motion limits itself to those matters. But, as Mr. MURPHY himself has said in floor debate on H.R. 111, "We will keep intact the principles which we establish in H.R. 111." The very first priority of importance in H.R. 111, established by Mr. MURPHY himself is, "It puts the Depart-

ment of Defense in control of this Panama Canal Commission." It is, therefore, urgent that the conferees not recede from the provisions of H.R. 111 which make the Secretary of Defense the dominant force in the Commission and place the canal under the control of the military in circumstances of threat of war.

Section 250(g) of H.R. 111 expressed the concern of the House, later abundantly justified, that Panama was violating terms of the Neutrality Treaty. To recede from conditioning the contingency payments to Panama in view of its admitted major role in bringing down the government of a neighboring state would be a reward for misconduct.

One of the major thrusts of the narrowly defeated amendments which I offered to H.R. 111 and which in other terms is in the House-passed version is the requirement that interest on the U.S. investment in construction of the Panama Canal continue to be paid. The Senate version waives this and other payments. Nearly half a billion dollars is saddled on the taxpayers by this simple waiver. It is difficult to see how this House could agree to casting such a monstrous burden on our already overburdened constituents.

I remain deeply opposed to the Panama Canal Treaty and to H.R. 111 as the vehicle for implementing it. Although other voices prevailed in the House, Members will remember by what a small margin and with what effort H.R. 111 survived. Since the House acted on June 21, many of the worst fears of the bill's opponents have been realized.

I am not pleased that the predictions of misfortunes were so soon proved accurate. Nor is it a time for recriminations that one was right and another wrong. We are charged with taking the world as it now is and discharging our responsibilities in the light of existing circumstances. We now face a Marxist Central America, dominated by the avowed leftist regimes of Torrijos and Castro. Our decisions of what to do about H.R. 111 and indeed, the treaty itself must take into account these new certainties. The motion to instruct is but a small step from the final consideration of what our role should be in the unfolding tragedy of the new realities of Marxist domination of the Caribbean.

These minimum instructions should not be viewed as the only factors of concern to Members of this body. But this motion and your vote to support it should serve notice that the House retains its active role in determining the course of this Nation in the coming decades. It would also demonstrate that our vote can no longer be conditioned by the misrepresentations of the State Department.

Our vote for Panama Canal Treaty implementation and any conference report will now be with the full knowledge that Panama concedes that it is a Marxist regime. And the whole world now knows that the events of recent weeks, putting another Marxist regime even closer to our border, were arranged by a combination of nations and forces, whose reputations speak for themselves. Ac-

tively collaborating to install the Marxist's takeover of Nicaragua were Cuba, Panama, the PLO and other leftists of the Arab world.

Our vote should not be colored by the vain anticipation that by giving away the canal we can buy friends in the Western Hemisphere. Since the success of the coup in Central America, there is scarcely a country of Central America which has not condemned us for real or fancied grievances. While our strength earned respect if not affection, our weakness has drawn scorn from the very nations whose love the gift of the canal was supposed to buy.

Our final vote, yet to come, on the conference report will be with the full knowledge that the canal will not buy friendship. Moreover, the people of our own Nation do not understand that huge sums of money are to be paid along with the canal to a petty dictator. The argument that our defense is somehow enhanced by giving the Marxists control of one of the key waterways of the world is rapidly evaporating.

That last vote will be in the full pitiless glare of the facts. We will only agree to the treaty because we are told to by an administration whose foreign policy record demands our trust—a trust now badly shopworn. We cannot even claim that we have no options. The very pressures exerted here to force a conference prearranged to force aside the will of the House and endorse the administration bill speaks loudly that the people who claim we have no power do not believe it themselves.

I intend to vote for the motion to instruct. I will do so with the clear understanding that I cannot bind myself to vote for the report unless it protects the people from tax burdens, limits the inflationary impact on canal users, and protects the defense and commercial interests of the United States. Those goals as of this moment seem most unlikely of achievement.

□ 1520

I might say one other thing, Mr. Speaker. We all know the fact that there was a deal cut, that the White House was attempting an entrapment of the House. We all know there is grave danger in making changes in the status of the Panama Canal, especially now with the recent successes of the Sandinista Marxists and the Cubans.

We are worried about compromising away safeguards with the Senate and what is likely to follow when we visualize how the administration will probably act and further compromise with the Panamanian Government of Mr. Royo. This is spelled out visibly in the terms set forth in Royo's letter to President Carter, printed in the July 6, 1979, RECORD by Senator HELMS, where it shows the severe degree by which Panama disagrees with even the administration's very liberal proposal for implementation legislation.

We must insist on the tightest possible safeguards in any legislation we approve. This is why the conferees must be given basic mandatory instructions.



Mr. BAUMAN. Mr. Speaker, it is my great honor to yield to one of the premier foreign experts in the Congress of the United States, the outstanding gentleman, a great orator, the laconic gentleman from Illinois (Mr. DERWINSKI).

The SPEAKER pro tempore. The Chair wishes to inquire, after that eulogy, how much time the gentleman yields to the gentleman from Illinois (Mr. DERWINSKI).

Mr. BAUMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Speaker, may I first point out the issue before us. There is a motion to instruct. Now, we cannot tell the players without a scorecard this afternoon, since we have been on different sides of this bill and different sides of this issue, and we are all taking different sides here.

I am supporting the motion to instruct. I think it is good tactics. I think it is good legislation. I think it is a practical way to support the basic House position.

When I say that, however, I want to emphasize that I do not feel there is any conspiracy afoot. I do not think there has been any deal. The chairman of the committee, the gentleman from New York (Mr. MURPHY), was masterful in passing a bill through the House. It was really a wonderful exhibition of legislative leadership, and he will show that same leadership in conference.

I think the motion to instruct strengthens the hands of the House conferees.

As I mentioned earlier, the Senate passed the bill in a rather perfunctory fashion. We ought to have a good honest conference. I want the implementing legislation passed, and I want all the diplomatic good will that will come with it to follow.

I will say to my good friend, the gentleman from Idaho (Mr. HANSEN), that the issue of what has happened in Nicaragua does not have any direct relationship to the implementation legislation for the canal treaties. I deplore the takeover by the Sandinistas in Nicaragua, but we should not blame President Royo. If there was any wrongdoing, it was by the Sandinista sympathizers within the Panamanian structure, not President Royo himself. I point out that President Royo, not Torrijos, is heading that country. Secondly, it is technically and politically inaccurate to describe the Panamanian Government as "Marxist." They may have some sympathies with what went on in Nicaragua, but they are technically not a Marxist government. So, if we can keep our facts straight, we will have a better view of the entire picture.

Last but not least, as I see the situation, it would be a drastic diplomatic setback for the United States if we would not have implementing legislation by October 1.

So as a supporter of the legislation, I support this motion to instruct and send the House conferees with a good solid position to enable them to work expeditiously to bring back the most practical

bill. By instructing the conferees and supporting the gentleman from Maryland (Mr. BAUMAN), we do away with the doubts of some of the Members in this House that there is a conspiracy, or that the White House cut a deal.

Let us keep this open and aboveboard. By this particular vote they will still have the flexibility within the conference to work out the best possible language.

Mr. Speaker, as a supporter of the implementing legislation, I urge the Members to support the motion to instruct.

The SPEAKER pro tempore. The time of the gentleman from Illinois (Mr. DERWINSKI) has expired.

Mr. BAUMAN. Mr. Speaker, I yield 2 additional minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. CHARLES WILSON of Texas. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the distinguished gentleman from Texas.

Mr. CHARLES WILSON of Texas. Mr. Speaker, may I ask, is the gentleman serious in his advocacy that the Government of Panama was not directly involved in the Nicaraguan situation?

Mr. DERWINSKI. Mr. Speaker, what I said was that there may have been elements in the Government that were involved. The Government officially I do not believe was involved.

Mr. CHARLES WILSON of Texas. The Government of Cuba officially probably was not involved either, or the Government of Costa Rica.

Mr. DERWINSKI. I do not compare the two. The Government of Cuba is a totally different situation.

Mr. CHARLES WILSON of Texas. Is the gentleman aware that officials of the Government were indicted for gunrunning?

Mr. DERWINSKI. Yes.

Mr. CHARLES WILSON of Texas. Does the gentleman think, then, that the officials of the Government in Panama were not acting with the approval of the government?

Mr. DERWINSKI. Our Government officials sometimes act without the approval of the President. We cannot blame the President for that.

Mr. CHARLES WILSON of Texas. Is the gentleman aware that Fidel Castro at one time said that he did not have to furnish arms to the Sandinistas as long as Panama was doing it?

Mr. DERWINSKI. I do not believe that is a quote I saw officially.

Mr. CHARLES WILSON of Texas. That is the meaning of what was said, I believe.

Mr. DERWINSKI. Mr. Speaker, I am not going to have the gentleman place me in the position of defending a non-existent government position for Panama. All I am saying is that regardless of the involvement or, in my opinion, the lack of direct involvement of the Panamanian Government, that is not an issue in the implementation legislation.

Now, everything the gentleman says about the tragedy in Nicaragua is true. Everything the gentleman worries about as to what may happen after that is true, but that does not directly relate to the

issue before us, which is the implementing legislation.

Mr. CHARLES WILSON of Texas. Mr. Speaker, let me ask the gentleman one more question.

If arms were transmitted from Cuba to Panama and if then the Panamanian Government facilitated the transfer of these arms by water to the Sandinista training camps in Costa Rica, would the gentleman then think that the Government of Panama was directly involved?

Mr. DERWINSKI. That would depend on whether it was the Government itself that was involved. But let me remind the gentleman that despite his attempt to booby-trap me here, he and I share the same position in support of the motion to instruct.

The SPEAKER pro tempore. The time of the gentleman from Illinois (Mr. DERWINSKI) has again expired.

Mr. BAUMAN. Mr. Speaker, I yield 1 additional minute to the gentleman from Illinois (Mr. DERWINSKI) so that he may have the last word.

Mr. HANSEN. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Idaho.

Mr. HANSEN. Mr. Speaker, is the gentleman familiar with the May 2 intelligence document received from an intelligence agency by the State Department regarding Cuban and Panamanian involvement in the Sandinista effort?

Mr. DERWINSKI. Mr. Speaker, if the gentleman is speaking of the report of transmission of certain weapons from Miami, yes.

Mr. HANSEN. No, this is not from Miami; this is from Havana by Panamanian Air Force planes. Our own intelligence has laid out the time, the place, and the amount of weapons, and this has all been done in the last 6 months or so.

Mr. DERWINSKI. I am not familiar with that.

Mr. HANSEN. This has been in the CONGRESSIONAL RECORD, and it has been in the national news media that there is a direct official connection, and that Panamanian Air Force planes were moving those weapons from Cuba.

Mr. DERWINSKI. Mr. Speaker, I think that we have to draw the line on the degree of officialdom involved. The Panamanian military is run by General Torrijos. They are not necessarily directed by the civilian leaders of the Panamanian Government.

Mr. HANSEN. Who runs the country?

Mr. DERWINSKI. De facto, General Torrijos; de jure, President Royo.

Mr. BAUMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Speaker, I rise in support of the motion to instruct the conferees, and I commend my two colleagues, the gentleman from New York (Mr. MURPHY) and the gentleman from Maryland (Mr. BAUMAN) for offering this motion.

I would also like to take this time to thank our good friend, the gentleman from Idaho (Mr. HANSEN) for all the hard

work he has done on the Panama Canal treaties, working for the people and trying to come up with some type of treaty that would be acceptable to most of us. The gentleman has certainly worked hard.

Mr. Speaker, for many months during the debate that was going on in the Senate pertaining to ratifying the treaty, a number of us felt that we should have a vote in the House as far as transferring the Federal properties that were included in the Panama treaties. As the Members know, we were left out; we were not given this privilege.

However, we were given the opportunity to vote on implementing the treaty, and some good amendments were added by the House of Representatives. Some of us had amendments that were not added, but still there were some beneficial amendments adopted by the majority of the House, and we did try to save the taxpayers some money.

As I understand it—and the gentleman from New York (Mr. MURPHY) may correct me if I am wrong—in the Senate version it does not set any firm limits on costs of the treaties to the American people. They only included a sense of the Congress provision that it should exceed \$1 billion in costs, but would not legally limit costs to this amount. And what is even worse, in my opinion, is that this nonbinding \$1 billion limit is even more than the legally binding limits on costs in the House bill. In effect, the Senate bill provides no protection for the American taxpayer and that is why we must insist on the House position.

But, Mr. Speaker, my major concern is, like that of the other Members, what effect this treaty has on the American people.

□ 1530

For a number of years, nothing but gloom and doom and "What is wrong with the Government?" comes out of Washington. President Carter's speech, when he came down off of the mountain on that Sunday, was full of "What is wrong with the Nation?" and "What is wrong with the Congress?" The Vietnam war was a bad experience for all of us. Then we had the energy crisis in 1973, and now in 1979. Inflation is upon us. We hear, and it comes out from Washington every day, that the Russians are coming, how strong militarily the Russians are. The people hear this.

Now we come along with the final action on Panama Canal. Really, the people are ready to hear something good coming out of our Capitol. They are tired of hearing about gloom and doom and what is wrong with the Nation.

So, Mr. Speaker, I think if we instruct the conferees to stay with the House position, this will make the people feel better and reaffirm their faith in our Government. If we lose our position in conference, then I think the House position would be to defeat the conference report, and this will make the people feel even better, because this House would have stood up for the American people and their views on the giveaway of the Panama Canal.

Mr. HANSEN. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Idaho.

Mr. HANSEN. I thank the gentleman for yielding.

Mr. Speaker, I would just like to take a moment to commend the gentleman from Mississippi (Mr. MONTGOMERY), who has been one of those right in the very forefront of the fight to save the Panama Canal and who probably has worked as hard or harder than anyone I know with regard to this legislation, as he does in all such matters in the House. I commend him for his ongoing, continuing interest in trying to make sure that America's interests are best served.

Mr. BOWEN. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Mississippi.

Mr. BOWEN. I thank the gentleman for yielding.

Mr. Speaker, I understand that the gentleman said he hoped that, under certain circumstances, we might defeat a conference report that came back, and that would make the people of the country feel good.

Mr. MONTGOMERY. Feel better, and reaffirm their faith in our Government.

Mr. BOWEN. Would it really make the people of this country feel good if we turned the canal over to General Torrijos this fall because of our inability or unwillingness to pass implementing legislation? Does the gentleman think that would make the people of this Nation feel good?

Mr. MONTGOMERY. I think the people have been very disappointed in the treaties. Someone who served in the Ford and Nixon administrations told me that we should negotiate on the Panama Canal but not just give in completely without receiving anything in return. I do not think the people want to give up the Panama Canal.

But I think the people have just about given up as a result of the treaties. They do not want to send Americans down to fight and to take the canal back over. I do not think they would want to lose one life. They are generally disappointed. I think they have just kind of marked it off.

Mr. BOWEN. If the gentleman will yield further, I certainly do agree with the fact that you and I wish we could have kept this canal in perpetuity; but since the Senate and the President have determined that we cannot, I know the gentleman agrees with me that it would be desirable if we could at least hold onto the canal and keep it out of General Torrijos' hands until the year 2000, when he may not be in any position of authority. We no longer have the option the gentleman and I both would like, that of renegotiating the treaties and coming away with a better deal. We now have a choice only of keeping the canal under American management and protection until the next century, or turning it over to Panama this year. I prefer to keep it in American hands as long as possible.

Mr. BAUMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. CARTER).

Mr. CARTER. I thank the gentleman for yielding.

Mr. Speaker, I would ask my good friend if he does not deem it to be true that Torrijos cooperated with the guerrillas who overthrew Nicaraguan President Anastasio Somoza?

Mr. MONTGOMERY. If the gentleman will yield, that is exactly right.

Mr. CARTER. Also, is it not true that Cuba, with Torrijos and Panama, assisted in the rebellion which took place in Nicaragua? Is that correct?

Mr. MONTGOMERY. The gentleman is exactly right.

Mr. CARTER. What does the gentleman think is going to happen to Guatemala, which, I understand, is the next country in Central America on the hit list?

Mr. MONTGOMERY. The gentleman from Texas (Mr. CHARLES WILSON) covered that area. I got the impression, and I think the gentleman is right, and also the gentleman from Idaho (Mr. HANSEN), that that country could fall. It is the domino theory.

Mr. CARTER. Is it the gentleman's belief now that we will lose all of Central America as a result of our ineptness in the past several months?

Mr. MONTGOMERY. I certainly agree with the gentleman from Kentucky.

Mr. CARTER. I thank my distinguished and patriotic colleague.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Is it also true that, on July 28, 1978, Mr. Torrijos said that the policy of Panama was to return Guantanamo Bay to the Cubans? That is also a statement of fact.

Mr. CARTER. Again, we are dealing with Communists who would turn all of this area over to communism and be just as Cuba is today, I regret to say.

Mr. HANSEN. Mr. Speaker, will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Idaho.

Mr. HANSEN. Mr. Speaker, I have sat here for several weeks and listened to the gentleman from Mississippi (Mr. BOWEN) makes this absurd statement that if we fail to act, everything is going to be chaos and Torrijos will march in and occupy the canal.

Such a possibility would have to be predicated upon the attitude and actions in the White House as to what would be allowed or transpire. However, there is plenty and ample proof to say that if these treaties are not implemented, the old treaties and laws remain in place and there will be no such thing happen. The Congress should work its will without such intimidation which has long been a tactic of the State Department to bully through the legislation it desires.

Mr. MURPHY of New York. Mr. Speaker, I yield myself such time as I may consume.



Mr. MURPHY of New York. Mr. Speaker, I rise in strong support of the motion offered by the gentleman from Maryland to instruct the conferees in very narrow areas—in very narrow areas. I do so in the interest of time.

The day this Congress convened, I introduced H.R. 111, which very clearly laid out a regime to protect America's interest in the Panama Canal Zone area for the next 20 years. It took the administration more time to make their legislative recommendations. They had 2 years to get their act together and they could not get it together. So a month after the Congress convened they came in with a bill, and then insisted upon immediate action by the House.

This legislation went to four committees of the House. It went to the Committee on the Judiciary and to the Committee on Post Office and Civil Service, which dealt with the vital elements of the American Canal personnel and their future, and, of course, the contributions they made in the past, and what their future working conditions would be in Panama. Of course, the bulk of the bill went to the Committee on Merchant Marine and Fisheries, which has legislative responsibility for the Panama Canal and inter-ocean canals generally. Of course, the Committee on Foreign Affairs had

We thought hearings were necessary, that in-depth hearings were necessary, its responsibilities.

and 9 days of hearings were held by the Panama Canal Subcommittee. But we also made a commitment to finish this legislation in that committee before the Easter break, because I understood, and the members of the committee understood, that time was of the essence, because the BROOKE amendment to the treaty of 1977 very clearly meant that October 1, of this year, was the trigger date—the trigger date—to implement the Panama Canal treaty regime.

So we undertook our responsibilities under a time frame necessary to properly legislate. We were ready to come to this floor right after the Easter break. But what happened? We did not get much cooperation from the administration. Then we saw certain foreign aid bills come up, and we saw Panama's military aid pulled out from one bill and economic aid pulled out from another, all of which were messages from this House to the administration and to the people in Panama that this Congress understood what type of regime they had in Panama, and what type of operations of subversion and revolutionary exploitation that they were perpetrating not only in Nicaragua, but in El Salvador and Guatemala, and other countries as well.

So the Committee on Merchant Marine sent it subcommittees and task force to Panama. It went down there because it found out that the Panamanian representatives, those who negotiated the treaties, were renegotiating and were trying to use this vehicle of implementing legislation to effectively renegotiate this treaty.

So we came to the House, and the gentleman from Arkansas (Mr. BETHUNE), in the debate on this rule, clearly laid out the situation we face in the House.

We must relate to the good faith of the Members of the House who, by a narrow margin, about 20 votes, passed legislation to implement the Panama Canal treaties. But as the House acted it did so by very clearly protecting a number of items: Item No. 1, the operational control of the canal; No. 2, the fiduciary integrity of the canal, its revenues, and the welfare of the American taxpayers and the obligations thereto; and, finally, the defense of the canal and the protection of American workers.

So we do not have a broad instruction by the gentleman from Maryland. We have his very narrow instruction, a narrow instruction which goes to the question of timing.

Here we are going to adjourn for a break on Friday of this week. We will not come back until after Labor Day. October 1 comes in quickly after that, in a matter of 3½ weeks after Labor Day, and we are supposed to have in place a conference committee report by that time. This conference report and this implementing legislation is going to require a number of things that must take place prior to October 1. First is a toll increase. When we get into the administrative law and Federal registry requirements under the House bill, 60 days are necessary of notice in order to have a toll increase that is necessary to implement this canal treaty and make the payments of \$75 million-plus annually to Panama.

So we should have been at this stand a long time before today. We should have been here months ago. But you can thank this administration and its dilatory tactics. You heard the gentleman from Maryland respond to the gentlewoman from Colorado as to the reason for the delays.

□ 1540

Well, I think somebody thinks there is going to be a quick fix over in the conference, and all of a sudden we are going to come back with that 1-month delayed package the administration had.

Well, we are not going to do that. I think the instructions to these conferees, as narrow as they are—and I will just state them for you, so you know they are narrow—are necessary. We know there may be issues that are outside the treaty and legislation that has been passed on both the Senate side and on the House side, and we should clean those up. But none of these issues, none of these issues in these instructions are extra to the implementation or to the treaty itself.

I made a commitment to the President that we would pass legislation in this Congress, in this House, that was within the letter of the treaties and I intend to keep the commitment.

The instructions by the gentleman from Maryland deal with the Panama Canal Commission. It is a commission of nine commissioners who are going to run that canal, five Americans and four Panamanians and the key supervisory position associated with it, the fact that the U.S. members will receive the advice and consent of the Senate, that they will operate under the Defense Department and that the American Commissioners will

vote en bloc. It is not too onerous a provision.

Concerning the question of Canal Zone funds and accounting and dealing with the key appropriations issue, the administration told the people of America that the taxpayers would not pay a cent for the implementation of this bill. Then, all of a sudden, they said only \$800 million or \$600 million or \$700 million is involved. Well, in the House version of H.R. 111 we go to the protection of the appropriations process and a very wise recommendation of the gentleman from Maryland, and, third, we go back to Edwards against Carter, wherein the constitutional prerogative of this House that was swept aside when the Supreme Court would not hear the case. What we do in the House version of H.R. 111 is we say that on October 1, by law, we transfer the necessary property under the 1977 treaties to Panama and we say that future property transfers will be done by act of Congress, thus reestablishing the constitutional right of the House in the treaty-related process, a right that we should have established before.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. MURPHY of New York. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. I would like to compliment the gentleman on his statement. Let me clear up one point. Both the gentleman from New York (Mr. MURPHY) and the gentleman from Maryland (Mr. BAUMAN), have implied that some of us were in on some kind of conspiracy or quick fix scheme. Maybe the two gentlemen were at a meeting at the White House and heard something. I was not. As a conferee I was not part of any quick fix scheme conspiracy.

I think we ought to state that there was not a conspiracy among conferees. I understand that some representatives are upset that members of other committees can vote on the entire package, but having chaired the civil service portion of the bill, I think the commission issue is very important, because they are Federal employees' and are crucial to the entire package.

A lot of this implementing legislation overlaps and gets intertwined among different jurisdictions, maybe it was a mistake to allow different committees to vote on different parts of the bill, but I am not aware of any kind of conspiracy.

If the two gentlemen are aware of one, fine. But I want to make it absolutely clear for the record that I know of no conspiracy.

Mr. MURPHY of New York. If the gentlewoman is interested in a fast conference, give me a proxy and we will complete it all in about 2 days.

Mr. BONIOR of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MURPHY of New York. I yield to the gentleman from Michigan.

Mr. BONIOR of Michigan. Mr. Speaker, I do respect the time and effort the gentleman has put in on this issue and the guidance of this legislation through the House. With respect to the gentleman's comments about delay on the part of the administration, the fact of the matter is, and I think the gentle-

man knows this, we did not have the votes for this implementing legislation in April during the Easter recess. They just were not there.

I think I followed this legislation as closely as anybody on this side in terms of where we stood with the Members. It is unfortunate that we are at the point now where we have 2 months to go before the implementation takes effect, and we have to get a conference report back to this House before we adjourn.

The other point I would like to mention is the chairman's comment that these issues are narrow. Well, we debated the rule approximately an hour ago. The gentleman from New York, my distinguished chairman, mentioned that the guts of this bill, the heart of this bill, was the first instruction that the gentleman from Maryland offered which deals with the appropriations versus the corporation concept. That is, in my opinion, in no way narrow. It is probably as broad and as important an issue as we could face in this legislation.

I would like to hear the gentleman's response to that aspect of the legislation.

Mr. MURPHY of New York. I would say to my colleague that it was not until late May and early June that the extensive gunrunning support by Panama to the Sandinista movement in Costa Rica and then into Nicaragua had become public. The votes were there for this legislation in May. We would not have had this problem; Panama brought this upon itself, if the gentleman will go back and examine his calendar.

I think the question of the Commission versus corporate form is probably the greatest protection for the interests of the United States.

But, in conclusion, I would say this vote and the size by which the House should pass this vote will be a clear message to the conferees that the House itself wants an implementation bill, but it wants an implementation bill that does protect the prerogatives of the House and, of course, of the American people in the implementation of the 1977 Canal Treaty and operation of the canal for the next 20 years.

Mr. BAUMAN. Mr. Speaker, in closing, I would just say that the surest way to make this a quick and efficient conference is an overwhelming vote in favor of this motion to instruct, so the other body will understand precisely the parameters of what this House desires on this issue.

I urge those who opposed the legislation, and some of us did, and those who supported it, to join together in instructing these conferees.

Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore (Mr. Brown of California). The question is on the motion offered by the gentleman from Maryland.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BAUMAN. Mr. Speaker, I object to the vote on the ground that a quorum

is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device and there were—yeas 308, nays 98, not voting 28, as follows:

[Roll No. 400]

#### YEAS—308

Abdnor	Ertel	Lott
Addabbo	Evans, Del.	Lujan
Akaka	Evans, Ga.	Luken
Albosta	Evans, Ind.	Lungren
Anderson, Calif.	Fary	McClary
Andrews, N.C.	Fazio	McCloskey
Andrews, N. Dak.	Ferraro	McCormack
Annunzio	Flindley	McDade
Anthony	Fisher	McDonald
Applegate	Fithian	McEwen
Archer	Filippo	McKinney
Ashbrook	Florio	Madigan
Atkinson	Ford, Mich.	Marks
Badham	Fountain	Marriott
Baflalis	Fowler	Martox
Bailey	Frenzel	Mayroules
Baldus	Frost	Mazzoli
Barnard	Fuqua	Mica
Bauman	Gaydos	Michel
Beard, R.I.	Gephardt	Mikulski
Beard, Tenn.	Gibbons	Miller, Ohio
Bedell	Gilman	Minish
Benjamin	Grinch	Mitchell, N.Y.
Bennett	Ginn	Moakley
Bereuter	Gluckman	Molohan
Bethune	Goldwater	Montgomery
Bevill	Gonzalez	Moore
Biaggi	Goodling	Moorhead, Calif.
Boggs	Gore	Mottl
Boland	Gradison	Murphy, Ill.
Boner	Gramm	Murphy, N.Y.
Bonker	Grassley	Murphy, Pa.
Bouquard	Grisham	Murtha
Breaux	Guarini	Myers, Ind.
Brinkley	Gudger	Myers, Pa.
Broomfield	Guyer	Natcher
Brown, Ohio	Hagedorn	Neal
Broyhill	Hall, Tex.	Nelson
Buchanan	Hammer	Nichols
Burgener	schmidt	Nowak
Butler	Hance	O'Brien
Byron	Hanley	Oakar
Campbell	Hansen	Ottinger
Carney	Harsha	Panetta
Carter	Heckler	Pashayan
Chappell	Hefner	Paul
Cheney	Heftel	Perkins
Claussen	Hightower	Petri
Cleveland	Hillis	Peyser
Clinger	Hinson	Pickle
Coelho	Hollenbeck	Preyer
Coleman	Holt	Price
Collins, Tex.	Hopkins	Pritchard
Conable	Hubbard	Pursell
Conte	Huckaby	Quayle
Corcoran	Hughes	Quillen
Cotter	Hutto	Rahall
Coughlin	Hyde	Ratchford
Courter	Ichord	Regula
Crane, Daniel	Ireland	Rhodes
Crane, Philip	Jacobs	Rinaldo
D'Amours	Jeffords	Ritter
Daniel, Dan	Jeffries	Roberts
Daniel, R. W.	Jenkins	Robinson
Danielson	Jenrette	Roe
Dannemeyer	Johnson, Calif.	Rose
Daschle	Jones, N.C.	Roth
Davis, Mich.	Jones, Okla.	Rousset
Davis, S.C.	Jones, Tenn.	Royer
de la Garza	Kazen	Rudd
Deckard	Kelly	Runnels
Derrick	Kemp	Russo
Derwinski	Kindness	Santini
Devine	Kramer	Satterfield
Dickinson	Lagomarsino	Sawyer
Dicks	Latta	Schulze
Dingell	Leach, Iowa	Sensenbrenner
Donnelly	Leach, La.	Sharp
Dornan	Leath, Tex.	Shelby
Dougherty	Lederer	Shumway
Duncan, Oreg.	Lee	Shuster
Duncan, Tenn.	Lent	Skelton
Edwards, Ala.	Levitas	Slack
Edwards, Okla.	Lewis	Smith, Iowa
English	Livingston	Smith, Nebr.
Erdahl	Lloyd	Snowe
Erlenborn	Loeffler	Snyder
	Long, La.	Solomon
	Long, Md.	

Spellman  
Spence  
St Germain  
Staggers  
Stangeland  
Stanton  
Steed  
Stenholm  
Stockman  
Stratton  
Stump  
Swift  
Symms  
Synar  
Tauke

Taylor  
Thomas  
Traxler  
Trible  
Udall  
Vander Jagt  
Volkmmer  
Walker  
Wampler  
Watkins  
Weaver  
White  
Whitehurst  
Whitley  
Whittaker

Whitten  
Williams, Mont.  
Wilson, Bob  
Wilson, C. H.  
Wilson, Tex.  
Winn  
Wolff  
Wyatt  
Wyder  
Wyllie  
Yatron  
Young, Alaska  
Young, Fla.  
Young, Mo.  
Zeferetti

#### NAYS—98

Alexander  
Anderson, Ill.  
Ashley  
Aspin  
AuCoin  
Barnes  
Beilenson  
Bingham  
Blanchard  
Bonior  
Bowen  
Brademas  
Brodhead  
Brooks  
Brown, Calif.  
Burison  
Burton, John  
Burton, Phillip  
Carr  
Cavanaugh  
Dellums  
Dixon  
Dodd  
Downey  
Drinan  
Early  
Eckhardt  
Edgar  
Edwards, Calif.  
Fasell  
Fenwick  
Foley  
Ford, Tenn.

Gialmo  
Gray  
Green  
Hall, Ohio  
Hamilton  
Harkin  
Harris  
Hawkins  
Holtzman  
Howard  
Kastenmeier  
Kildee  
Kogovsek  
Kostmayer  
LaFalce  
Lehman  
Leland  
Lowry  
Lundine  
McHugh  
Maguire  
Markay  
Matsui  
Mikva  
Miller, Calif.  
Mineta  
Mitchell, Md.  
Moffett  
Moorhead, Pa.  
Nedzi  
Oberstar  
Obey  
Patten

Patterson  
Pease  
Pepper  
Rangel  
Reuss  
Richmond  
Rosenthal  
Roybal  
Sabo  
Scheuer  
Schroeder  
Seiberling  
Shannon  
Simon  
Solarz  
Stack  
Stark  
Stewart  
Stokes  
Studds  
Thompson  
Ullman  
Van Deerlin  
Vanik  
Vento  
Walgren  
Waxman  
Weiss  
Wirth  
Wolpe  
Yates  
Zablocki

#### NOT VOTING—28

Ambro  
Bolling  
Chisholm  
Clay  
Collins, Ill.  
Conyers  
Corman  
Diggs  
Emery  
Fish

Flood  
Forsythe  
Garcia  
Holland  
Horton  
Johnson, Colo.  
McKay  
Marlenee  
Martin  
Mathis

Nolan  
Rallsback  
Rodino  
Rostenkowski  
Sebellus  
Treen  
Williams, Ohio  
Wright

□ 1600

Messrs. ALBOSTA, WEAVER, and LONG of Maryland changed their vote from "nay" to "yea".

Mr. ULLMAN changed his vote from "yea" to "nay."

So the motion was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. MURPHY of New York, DINGELL, BOWEN, HUBBARD, BONIOR, WYATT, ZABLOCKI, FASCELL, HANLEY, Ms. HOLTZMAN, Mrs. SCHROEDER, Messrs. HARRIS, McCLOSKEY, BAUMAN, CARNEY, BROOMFIELD, DERWINSKI, and FISH.

There was no objection.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE REPORT ON H.R. 2759, TO PROMOTE ORDERLY DEVELOPMENT OF HARD MINERAL RESOURCES IN DEEP SEABED

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until 5 p.m. on August



17, 1979, to file a report on H.R. 2759, to promote the orderly development of hard mineral resources in the deep seabed, pending adoption of an international regime relating thereto.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York.

There was no objection.

#### GENERAL LEAVE

Mr. BAUMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the motion to instruct conferees just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### GENERAL LEAVE

Mr. BRADEMAs. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on my motion to table the resolution in the matter concerning the gentleman from Michigan (Mr. Dicks).

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

**ADJOURNMENT OF HOUSE FROM THURSDAY, AUGUST 2, 1979, TO WEDNESDAY, SEPTEMBER 5, 1979, AND RECESS OF SENATE FROM FRIDAY, AUGUST 3, 1979, TO WEDNESDAY, SEPTEMBER 5, 1979**

Mr. BRADEMAs. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 168) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

#### H. CON. RES. 168

*Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, August 2, 1979, it stand adjourned until 12 o'clock meridian on Wednesday, September 5, 1979, and that when the Senate recesses on Friday, August 3, 1979, it stand in recess until 12 o'clock meridian on Wednesday, September 5, 1979.*

The SPEAKER. The gentleman from Indiana (Mr. BRADEMAs) is recognized for 1 minute.

Mr. BRADEMAs. Mr. Speaker, the purpose of the concurrent resolution I have offered is simply to implement that provision of the Legislative Reorganization Act which provides, and I quote from section 132 of the Legislative Reorganization Act of 1946, as amended:

Sec. 132. (a) Unless otherwise provided by the Congress, the two Houses shall—

(1) adjourn sine die not later than July 31 of each year; or

(2) in the case of an odd-numbered year, provide, not later than July 31 of such year, by concurrent resolution adopted in each House by rollcall vote, for the adjournment of the two Houses from that Friday in August which occurs at least thirty days before the first Monday in September (Labor Day)

of such year to the second day after Labor Day.

Mr. Speaker, the purpose of this concurrent resolution is to provide that when the House adjourns on Thursday, August 2, it stand adjourned until noon on Wednesday, September 5; and that the same, with 1 day's difference, obtain with respect to the other body.

The SPEAKER. The question is on the concurrent resolution.

Under the rules, a rollcall is automatic. The vote was taken by electronic device, and there were—yeas 338, nays 70, not voting 26, as follows:

[Roll No. 401]

YEAS—338

Addabbo	Donnelly	Jones, N.C.
Akaka	Dornan	Jones, Okla.
Albosta	Dougherty	Jones, Tenn.
Alexander	Downey	Kastenmeier
Anderson,	Drinan	Kazen
Calif.	Duncan, Ore.	Kelly
Anderson, Ill.	Duncan, Tenn.	Kindness
Andrews, N.C.	Early	Kogovsek
Annunzio	Eckhardt	Kramer
Anthony	Edgar	LaFalce
Ashbrook	Edwards, Ala.	Latta
Ashley	Edwards, Calif.	Leath, Tex.
Aspin	Emery	Lederer
AuCoin	English	Lehman
Badham	Erdahl	Leland
Bailey	Erlenborn	Lent
Baldus	Ertel	Lewis
Barnard	Evans, Del.	Livingston
Barnes	Evans, Ga.	Lloyd
Bauman	Evans, Ind.	Loeffler
Beard, R.I.	Fary	Long, La.
Beard, Tenn.	Fascell	Long, Md.
Bedell	Fazio	Lott
Bellenson	Ferraro	Lowry
Benjamin	Findley	Lujan
Bennett	Fisher	Lukens
Bevill	Fithian	Lundine
Blaggi	Filippo	Lungren
Bingham	Foley	McClory
Blanchard	Ford, Mich.	McCloskey
Boggs	Ford, Tenn.	McCormack
Boland	Fountain	McDade
Boner	Fowler	McDonald
Bonior	Frenzel	McEwen
Bonker	Frost	McHugh
Bouquard	Fuqua	Madigan
Bowen	Gaydos	Maguire
Brademas	Gephardt	Markey
Breaux	Glaime	Marks
Brodhead	Gibbons	Marriott
Brooks	Ginn	Matsui
Broomfield	Glickman	Mattox
Brown, Calif.	Goldwater	Mavroules
Brown, Ohio	Gonzalez	Mazzoli
Broyhill	Gore	Michel
Buchanan	Gradison	Mikulski
Burgener	Gramm	Mikva
Burlison	Green	Miller, Calif.
Burton, John	Grisham	Mineta
Burton, Phillip	Guarini	Minish
Byron	Gudger	Mitchell, Md.
Carney	Guyer	Mitchell, N.Y.
Carr	Hagedorn	Moakley
Carter	Hall, Ohio	Moffett
Cavanaugh	Hamilton	Mollohan
Chappell	Hance	Montgomery
Cheney	Hanley	Moore
Clausen	Hansen	Moorhead,
Clay	Harkin	Calif.
Cleveland	Harris	Moorhead, Pa.
Coelho	Harsha	Murphy, Ill.
Coleman	Hawkins	Murphy, N.Y.
Collins, Tex.	Heckler	Murtha
Conte	Hefner	Myers, Ind.
Corcoran	Heftel	Myers, Pa.
Cotter	Hightower	Natcher
Crane, Daniel	Hillis	Nedzi
Crane, Phillip	Hinson	Nelson
D'Amours	Holt	Nichols
Daniel, Dan	Holtzman	O'Brien
Daniel, R. W.	Horton	Oaker
Danielson	Howard	Oberstar
Dannemeyer	Huckaby	Obey
de la Garza	Hutto	Ottiger
Dellums	Ichord	Panetta
Devine	Ireland	Pashayan
Dickinson	Jeffords	Patten
Dicks	Jenkins	Patterson
Dingell	Jenrette	Paul
Dixon	Johnson, Calif.	Pease
Dodd	Johnson, Colo.	Pepper

Perkins	Shuster	Vander Jagt
Peyser	Simon	Vanik
Pickle	Slack	Vento
Preyer	Smith, Iowa	Volkmer
Price	Snowe	Walgren
Pursell	Snyder	Walker
Quayle	Solarz	Watkins
Quillen	Spellman	Waxman
Rahall	St Germain	Weaver
Rangel	Stack	Weiss
Ratchford	Staggers	White
Regula	Stangeland	Whitehurst
Rouss	Stanton	Whitley
Richmond	Stark	Whittaker
Roberts	Steed	Whitten
Roe	Stenholm	Williams, Mont.
Rose	Stewart	Wilson, Bob
Rosenthal	Stockman	Wilson, Tex.
Rousselot	Stokes	Winn
Roybal	Stratton	Wirth
Royer	Studds	Wolf
Rudd	Stump	Wolpe
Runnels	Swift	Wyatt
Russo	Symms	Wydler
Sabo	Synar	Wylie
Santini	Taylor	Yates
Satterfield	Thomas	Young, Alaska
Scheuer	Thompson	Young, Fla.
Seiberling	Traxler	Young, Mo.
Shannon	Trible	Zablocki
Sharp	Udall	Zeferetti
Shelby	Ullman	
Shumway	Van Deerlin	

NAYS—70

Abdnor	Gilman	Mica
Andrews,	Gingrich	Miller, Ohio
N. Dak.	Goodling	Mottl
Applegate	Grassley	Murphy, Pa.
Archer	Gray	Neal
Atkinson	Hall, Tex.	Nowak
Bafalis	Hammer-	Petri
Bereuter	schmidt	Pritchard
Bethune	Hollenbeck	Rhodes
Brinkley	Hopkins	Rinaldo
Butler	Hubbard	Ritter
Campbell	Hughes	Robinson
Clinger	Hyde	Roth
Conable	Jacobs	Sawyer
Coughlin	Jeffries	Schroeder
Courter	Kemp	Schulze
Daschle	Kildee	Sensenbrenner
Davis, Mich.	Kostmayer	Skelton
Deckard	Leach, Iowa	Smith, Nebr.
Derrick	Lagomarsino	Solomon
Derwinski	Leach, La.	Spence
Edwards, Okla.	Lee	Tauke
Fenwick	Levitas	Wampler
Florio	McKinney	Yatron

NOT VOTING—26

Ambro	Flood	Rallsback
Bolling	Forsythe	Rodino
Chisholm	Garcia	Rostenkowski
Collins, Ill.	Holland	Sebelius
Conyers	McKay	Treen
Corman	Marlenee	Williams, Ohio
Davis, S.C.	Martin	Wilson, C. H.
Diggs	Mathis	Wright
Fish	Nolan	

□ 1620

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### CALL OF PRIVATE CALENDAR, WEDNESDAY, AUGUST 1, 1979

Mr. BRADEMAs. Mr. Speaker, I ask unanimous consent to call the Private Calendar on Wednesday, August 1.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

#### ADJOURNMENT TO 10 A.M., TUESDAY, JULY 31, 1979

Mr. BRADEMAs. Mr. Speaker, I ask unanimous consent that when the House

adjourns tonight, it adjourn to meet tomorrow at 10 a.m.

The SPEAKER. Is there objection to the request of the gentleman from Indiana (Mr. BRADEMAS)?

Mr. BAUMAN. Reserving the right to object, I wonder if the distinguished majority whip could tell us whether or not any certain time has been set for the close of business on Thursday. This was raised last Friday when the program was announced.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from Indiana.

Mr. BRADEMAS. I would say to the gentleman from Maryland it is our intention to adjourn at 6 o'clock on Thursday.

Mr. BAUMAN. Mr. Speaker, in an effort to expedite that, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

#### PERMISSION FOR MANAGERS TO FILE CONFERENCE REPORT ON H.R. 4389

Mr. YATES. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on the bill, H.R. 4389, making appropriations for the Departments of Labor, Health, Education, and Welfare and related agencies for the fiscal year ending September 30, 1980, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois (Mr. YATES)?

There was no objection.

#### INTERIOR APPROPRIATIONS, FISCAL YEAR 1980

Mr. ZEFERETTI. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 389 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 389

*Resolved*, That during the consideration of the bill (H.R. 4930) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1980, and for other purposes, all points of order against the following provisions in said bill for failure to comply with the provisions of clauses 2 and 6, rule XXI are hereby waived: beginning on page 22, line 11 through page 24, line 8; and beginning on page 34, line 5 through page 37, line 23.

The SPEAKER. The gentleman from New York (Mr. ZEFERETTI) is recognized for 1 hour.

Mr. ZEFERETTI. Mr. Speaker, I yield the usual 30 minutes for the minority to the distinguished gentleman from Mississippi, Mr. LOTT, and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 389 provides for the consideration of H.R. 4930, the Department of Interior and related agencies appropriation bill for fiscal year 1980.

This rule grants waivers of points of order against portions of H.R. 4930 for failure to comply with clauses 2 and 6 of rule XXI. Clause 2 of rule XXI requires that all appropriations must have an authorization and prohibits the inclusion of legislation in an appropriations bill. This waiver is necessary since the bill includes appropriations for which authorizing legislation has not as yet been enacted. H.R. 3000, the Department of Energy Authorization Act for fiscal year 1980 is presently under consideration in the House. H.R. 3354, which provides authorization for the naval petroleum and oil shale program and H.R. 3930 which authorizes the synthetic fuel program have both passed the House but are awaiting action in the Senate.

In addition, a waiver of clause 2 of rule XXI is necessary since the appropriating paragraph "Office of Territorial Affairs" contains legislative language.

Clause 6 of rule XXI prohibits the inclusion in appropriations bills of reappropriations of unexpended balances of appropriated funds. The paragraph of the bill pertaining to "energy conservation" contains a reappropriation of unexpended funds. Thus, a waiver of clause 6 of rule XXI is necessary.

Mr. Speaker, H.R. 4930 provides a total of \$10.2 billion in new budget authority for fiscal year 1980 for the Department of Interior and other agencies. This amount is \$1.8 billion more than the administration requested, but \$1.6 billion less for the fiscal year 1979 appropriation level. The bill provides for several major programs in the Department of Energy, including \$1.5 billion for synthetic fuels development. Appropriations are also made in the bill for the Indian health and education functions of HEW, the Smithsonian Institution, the National Foundation on the Arts and Humanities, among other agencies.

Mr. Speaker, I urge the adoption of House Resolution 389 in order that we may discuss and debate H.R. 4930.

□ 1630

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution provides for the consideration of H.R. 4930, the Department of the Interior and related agencies appropriation bill for fiscal year 1980. The resolution waives all points of order against certain provisions of the bill for their failure to comply with clause 2 of rule XXI. Under this provision of the rules, no appropriation shall be reported in any general appropriation bill for any expenditure not previously authorized. The clause also prohibits legislation in an appropriations bill.

In addition, the resolution waives clause 6 of rule XXI against specified provisions of the bill. This provision of the rules prohibits the consideration of a general appropriations bill if it contains a provision reappropriating unexpended balances of appropriations.

H.R. 4930 provides \$10,195,553,000 in new budget authority for the Department of Interior and other agencies, including the Forest Service, Department of Energy, the Smithsonian Institute, and the National Foundation on Arts and Humanities. The amount recommended

in the bill is \$1,754,783,000 above the budget request for fiscal year 1980, but it is \$1,568,950,000 below the appropriation for these purposes for fiscal year 1979. One item of special interest is the inclusion of \$1.5 billion for the purchase or production of synthetic fuels under the authority of the House-passed H.R. 3930.

Mr. Speaker, I have no objection to the passage of this resolution.

Mr. Speaker, I have no requests for time. I support the resolution.

Mr. ZEFERETTI. Mr. Speaker, I move the previous question on the resolution. The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. YATES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4930) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1980, and for other purposes, and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Pennsylvania (Mr. McDade) and myself.

The SPEAKER. Is there objection to the request of the gentleman from Illinois (Mr. YATES)?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois (Mr. YATES).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4930, with Mr. MINETA in the chair.

(By unanimous consent, the first reading of the bill was dispensed with.)

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Illinois (Mr. YATES) will be recognized for one-half hour, and the gentleman from Pennsylvania (Mr. McDade) will be recognized for one-half hour.

The Chair recognizes the gentleman from Illinois (Mr. YATES).

Mr. WYDLER. Mr. Chairman, will the gentleman yield to me?

Mr. YATES. I yield to the gentleman from New York.

Mr. WYDLER. Mr. Chairman, the Science and Technology Committee last year adopted my amendment for \$5.4 million to initiate a comprehensive oil That money was appropriated for fiscal year 1979 and this year DOE requested \$3.85 million for their follow-on activity. This is a vital program for people in the Northeast who depend heavily on oil to heat their homes.

The \$500,000 of the DOE request was set-aside by our committee from the important oil-fired unit demonstration to the space conditioning in research project activity at Brookhaven National Laboratory. This demonstration activity was designed in three phases, the first



two of which require Federal stimulation.

The redirection of funds in this program will speed the introduction of advanced combustion concepts and furnaces to raise efficiency 40 to 50 percent. This is a vital R. & D. program for the Northeast and deserves strong support.

#### FOSSIL ENERGY (COAL-OIL COMBUSTION RESEARCH)

This \$250,000 is for restoration of the university research on coal-oil mixtures which was funded last year under advanced research and supporting technology but was not included in the fiscal year 1980 request. The coal-oil mixtures program was reduced by \$2,950,000 in fiscal year 1980 and there are insufficient funds to complete important activity on contracts outside the energy technology centers. This set-aside is specifically for Adelphi College Center for Energy Studies and complements a smaller program sponsored by EPA which is directed at reducing emissions by coal/oil combustion. The work consists of coal desulfurization during combustion of coal-oil water emulsions. This is an economic alternative to clean liquid from coal.

#### SYNTHETIC FUELS PRODUCTION

This bill, as the Moorhead bill before it and the DOE authorization H.R. 3000, is a genuine energy supply bill. I recall 3 years ago when our Science and Technology Committee struggled vainly to push major initiatives for synthetic fuels production.

Outside of projects at the pilot plant scale, this country has made little progress since then because industry has not been given the incentive. I believe that setting production goals of 500,000 barrels a day by 1985, as in H.R. 4930, is the incentive that should catalyze the synthetic programs.

In the Northeast we are particularly interested in major liquefaction projects but advanced gasification techniques cannot be ignored because they are a vital source for petroleum substitutes.

I urge my colleagues to support this bill. I also want to congratulate Mr. McDade and Mr. Yates for bringing it to the floor. It is a genuine energy supply bill.

Mr. YATES. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, we are proud and privileged to bring the Interior appropriations bill to the floor, a bill that the late Congressman from Ohio, Mike Kirwan, once described as the "all American bill." It is a bill about the land, our land, the land of the United States of America, it is the bill of and for America the beautiful—the majestic purple mountains, the fruited plains, the scenic rivers, the placid lakes, and the stately forests. It supports the national heritage of all Americans—the Nation's parks, forests, mountains and natural resources, the national heritage that we want to pass on to our children, our grandchildren and to the generations to come—a land that is better than the one we enjoy. Unfortunately, for many years and generations we despoiled the land. We cut, we gouged, we defiled—we took much from the land and returned little or nothing. This bill continues this committee's revolt against that kind of selfish unnecessary de-

spoilation and we have gone over the President's budgetary recommendations to protect the Nation's resources.

This bill is more than \$10 billion of which \$3.4 billion is for the Department of Energy, and I will talk about that in a minute.

I said it is a good bill—and it is—even though it is almost \$2 billion over the budget; \$2 billion, Mr. Chairman. And yet I say that. This is a tight bill, a bill that has received the careful scrutiny of our subcommittee, not once but three times.

We held oversight hearings; we held our regular hearings; we held special hearings with outside witnesses whom we invited to obtain additional information. For example, we are over budget by \$141 million for Navy Petroleum No. 4. The administration strongly opposed extension of the drilling program on Navy Petroleum Reserve No. 4. It was a program the administration wanted to—close down for—transfer to a private leasing program. It would cost a very substantial sum to continue that program over the budget. We called the Husky Oil Co. in to tell what was going on. On the basis of Husky's testimony and on the basis of the testimony from the Geological Survey, we were convinced the program should be continued—and we put the money in this bill. I would observe that when the House considered a deferral on the same matter June 19, that was rejected by a vote of 409 to 3.

Or take another aspect of the energy programs. We have added \$1.5 billion over the budget to move the synthetic fuels program forward under the authority of the Moorhead bill which passed the House by an overwhelming margin.

And we also added \$54 million without OMB approval to continue development of two plants which will make clean solids from coal and oil from coal—SRC I and SRC II. We think it is critically important to move our energy program ahead.

Take a look at our report—it is a good report. Look at page 5. You can see there, listed specifically, where the committee agreed to exceed the budget. On page 5 you will see an explanation of why the committee acted as it did.

Now you probably have been hearing from your State conservation directors complaining about the cut made by the committee to the land and water conservation fund. Yes, the committee would have liked to put more money into this fund this year—the full amount of \$598,000,000 and more because we are very much aware of the importance of acquiring the park lands, the forest land, the Fish and Wildlife refuge expansions before they are gobbled up by burgeoning development.

We cut the fund by \$150 million. This year, we said, this fund will have to wait while we take care of other priorities. You should know though, we put back in about \$70 million of the cut in specific recommendations—for the Santa Monica Mountains in California, one of the most beautiful areas in the country where development is threatened unnecessarily—for Lake Tahoe, for Cuyahoga—and for other areas. Next year

we'll take another look and try to be more helpful.

At page 6 of the report there is a list of new programs and continuing initiatives included in earlier budgets. What is not shown in that table are the decreases recommended by the subcommittee in order to provide fiscal balance. On the basis of the hearings contained in 12 published volumes taken over 46 days from more than 800 witnesses from the administration, Members of Congress, and the private sector, the subcommittee is proposing reductions in 171 programs for a total of \$633,545,000. I will want the Members to be aware of this if the gentleman from Ohio (Mr. MILLER) offers his amendment to reduce this bill by 2 to 5 percent.

I would also like to call to your attention the table at the bottom of page 3 of the report which shows the revenues generated by the agencies in this bill. They are expected in fiscal year 1980 to be slightly more than \$5 billion. Thus, it should be remembered that many of the programs in this bill for which additional amounts are recommended should not be treated as simple increased Federal expenditures, but as increased investments in the assets of America.

I would like now to highlight the subcommittee's recommendation program by program. For the Bureau of Land Management the subcommittee recommends a total of \$499.8 million, an increase of \$7 million over the budget request. That increase is principally in the areas of range management, recreation management, and cadastral survey programs of the Bureau of Land Management. BLM is responsible for the multiple use, management, protection, and development of about 417 million acres of public lands onshore, 840 million acres of federally owned subsurface rights and 1,100,000,000 acres of the Outer Continental Shelf.

For the Office of Water Research and Technology the subcommittee recommends \$30,977,000. This is a net increase of \$238,000 over the budget which represents several decreases and an additional \$1 million for accelerated development of saline water demonstration facilities—one in Virginia Beach, Va., the other in Alamogordo, N. Mex.

For the Heritage Conservation and Recreation Service the subcommittee recommends a total of \$637,715,000, a reduction of \$170,239,000 below the budget request. Of that amount \$150.9 million is in the land and water conservation funds, which I mentioned earlier and \$25 million is in the urban park and recreation fund. These reductions are offset by increases of \$702,000 in the salaries and expenses account which result from the transfer of a new program for this agency which has previously been administered by the National Park Service. In addition the subcommittee recommends a \$5 million increase over the budget for the historic preservation fund—for a total of \$50 million. For the urban park and recreation fund the subcommittee recommends a total of \$125 million for the first full year's operation of the program. The supplemental which has just cleared the House includes \$20 million for the balance of fiscal year

1979. The subcommittee feels that the amount included in the supplemental, \$20,000,000, coupled with the \$125,000,000 recommended in this bill will be about all the agency can handle in its first full year of operation.

For the United States Fish and Wildlife Service the subcommittee recommends a total of \$278,582,000, an increase of \$13,753,000 over the budget. Of that, \$5,000,000 is associated with the acquisition of 42,000 acres of land along the Texas gulf coast from the migratory bird conservation account which will be repaid in future years. The balance of \$8,753,000 is in the Fish and Wildlife construction program. The Fish and Wildlife Service is responsible for the conservation, protection, and enhancement of fish and wildlife and their habitat. It is responsible for a wildlife refuge system of over 46 million acres consisting of 410 refuges and 7 wetlands management districts, 88 fish hatcheries, a spawning channel, 5 fisheries development centers, 2 training schools, 12 fisheries research laboratories, and 19 biological stations. Over 6 million pounds of fish a year are produced from this national hatchery system.

The subcommittee is recommending appropriation of \$500,312,000 for the National Park Service, a reduction of \$575,000 from the budget request—that is net of increases and decreases in the construction, maintenance, and a fee account which also provides maintenance support in the national parks. The administration had submitted a budget proposing that both additional and increased fees be charged at the national parks. The budget proposed that these increased fees be used principally for maintenance in the national parks. The House has adopted legislation freezing the fee level for national parks, thus this increased maintenance cannot be supported from the fee account. However, the subcommittee has recommended changes in the budget for the national park system which permit increases in the maintenance program of the National Park Service above that proposed in the budget request.

The recommendation for the Geological Survey is \$594,217,000, an increase of \$138,769,000 over the budget. Of this, \$141,500,000 is associated with the development of the national petroleum reserve in Alaska, as discussed previously, offset by reductions of \$2.7 million in the regular program. In addition the subcommittee is recommending that the Survey spend \$2,000,000 to make greater use of a new map-data gathering technique known as synthetic aperture radar—SAR. This technique, using radar, will permit a rapid gathering of data for relatively inaccessible areas, in places such as Alaska. In addition it provides a more accurate map of geological features; \$134,883,000 is recommended for the Bureau of Mines, a net of \$311,000 below the budget. In addition the subcommittee again recommends rescission of \$47,500,000 of permanent contract authority for the helium fund which will become available in fiscal year 1980.

For the Office of Surface Mining the subcommittee recommends \$196,936,000, a net increase of \$1,700,000 over the President's budget. This includes an in-

crease of \$4,200,000 to expand the mineral institutes so that a total of 30 States will have the institutes. The eight new institutes recommended in this bill are for the States of Louisiana, Georgia, Virginia, Iowa, North Dakota, South Dakota, Nevada, and Washington.

For the Bureau of Indian Affairs the subcommittee is recommending a total of \$992,527,000, an increase of \$18,407,000 over the President's budget. Of this amount, \$17,674,000 is in facility and road construction. The subcommittee in fiscal year 1978 required the Secretary to develop, independently of the BIA, a priority program for construction, and the subcommittee has adhered to the priorities for school construction established by that program. This will fund 8 additional school projects over the budget, a total of 11 school projects.

For territorial affairs the subcommittee recommends an appropriation of \$196,921,000, an increase of \$51,107,000 over the budget request. Of that, \$37,357,000 is in the Office of Territories and is principally composed of \$9 million for construction grants in the Northern Marianas, \$18,600,000 for health care grants in the Virgin Islands, and \$10,000,000 for operation grants for the Virgin Islands. This latter grant is made contingent upon the Virgin Islands increasing their revenues by a similar amount in order to eliminate their projected deficit of \$20,000,000. The legislation authorizing this grant intended that a grant be made only after the Virgin Islands had exhausted other remedies. Information provided to the subcommittee is that the legislature has refused to raise additional revenues from such areas as property taxes, sales taxes, and industrial taxes. This grant, on a matching basis, will help the Virgin Islands to understand that they must meet their legislative requirements, as well as providing an orderly transition in meeting their financial responsibilities.

For the Office of Secretary of the Interior and the Solicitor of the Department of Interior the subcommittee recommends a total of \$71,660,000, a net increase of \$6,280,000 above the budget. This is mainly made up of an increase of \$9,400,000 to establish an office of construction management to monitor the construction programs of the Department, principally those of BIA discussed earlier, offset by a \$2,000,000 reduction associated with a proposed publications distribution center at a departmental facility in Beckley, W. Va. The fiscal year 1979 supplemental bill proposes transfer of that facility from the Department of Interior to the Department of Labor.

As I mentioned earlier the subcommittee has provided an increase over the budget of \$243,251,000 for the Forest Service. This provides a total of \$1,486,058,000 for the Forest Service, a reduction of \$26,156,000 below the fiscal year 1979 level. That reduction is associated primarily with the Youth Conservation Corps which I also had mentioned earlier. This proposal will provide a total of 12.2 billion board feet of timber scheduled for sale with 11.5 billion board feet to be harvested. This is an increase of half a billion board feet over the budget level. The timber produced from the na-

tional forest lands represents about one-fourth of the total timber and 30 percent of the soft wood timber cut for industrial purposes annually and is equivalent to the construction of about 1 million average size homes. In addition to timber production the Forest Service administers the grazing of 3.7 million head of livestock and 3.5 million big game animals which graze on national forest lands. The subcommittee has included in their recommendation \$10,891,000 to implement provisions of the Boundary Water Canoe Area Wilderness. This is \$3.3 million over the amount requested by the administration. It is also in addition to the amount budgeted for land acquisition in this area in the land and water conservation fund which the subcommittee also recommended. Other outputs from the Forest Service that the subcommittee expects to be achieved within this allowance are: Reforestation of 221,000 acres; timber stand improvement on 277,000 acres; silvicultural examinations of 8,000,000 acres; habitat restoration and development on 3,300,000 acre equivalents; range improvements on an additional 3.1 million acres; 145,000 acres of soil and water restoration and improvement; and 1,100 additional miles of land line location.

For the Department of Energy the subcommittee recommends \$3,354,311,000, an increase of \$1,462,681,000 over the budget. Of this, \$1,500,000,000 is associated with the synthetic fuels program discussed previously. From that it can be seen that, except for the synthetic fuels program, the subcommittee's recommendation for energy programs is \$37,319,000 under the budget proposed by the OMB. This reduction still permits work to progress on two solvent refined coal demonstration plants, a high Btu gasification demonstration plant, and a low Btu utility gasification demonstration plant. In the conservation area demonstrations of technology for increasing efficiency and using urban waste have been supported above the budget level.

In fossil energy, as well as the previously mentioned funding of additional demonstration plant activity, totaling \$61 million, the subcommittee has recommended increases of \$9 million in mining R. & D., \$16.5 million for existing gasification plants, \$6.5 million for fuel cells, \$3 million for magnetohydrodynamics (MHD), \$3.2 million for a new tar sands program, and \$5.5 million for enhanced gas recovery. These increases were offset by several decreases, the largest of which was \$40 million in plant construction funds not needed because of delay or cancellation of planned projects.

In conservation programs, research and development activity was increased by \$24 million and offset by reductions of \$36 million in grant programs at State and local levels. The added funds will allow for increased emphasis on urban waste, fuel cells, and industrial efficiency technology.

Energy information and regulation are recommended at a level of \$213 million which, although a decrease of \$35 million from the budget because rationing funds were cut, still remains \$52 million, or about 33 percent above fiscal year 1979 appropriations.



Finally, no additional funds except for administration are recommended for the strategic petroleum reserve. The subcommittee does, however, believe the reserve should still be filled and did not recommend rescinding funds as was assumed in the first budget resolution.

For the Indian health and education programs administered by the Department of Health, Education, and Welfare, the subcommittee recommends total appropriations of \$691,626,000, a net increase of \$29,395,000 above the budget request. These increases are associated with construction of new and replacement hospitals and clinics, outpatient care facilities, and personnel quarters for the Bethel, Alaska, and Redlake, Mont., hospitals. In addition, increases are provided for contract care, ambulatory care, urban Indian care, and other medical programs.

The subcommittee recommends \$10,900,000 for the Institute of Museum Services, the budget estimate.

For the Smithsonian Institution, the subcommittee recommends \$139,548,000, a reduction of \$5,442,000; \$4,000,000 of that amount is associated with a historic preservation program in Pakistan to which the Government of Pakistan has not yet agreed. An additional \$500,000 is associated with planning for two structures known as the south quadrangle complex which would house an oriental art gallery to complement the Freer Gallery and another building to house, among other things, the Museum of African Art which recently became a part of the Smithsonian Institution. This building program is not yet authorized and, in addition, the overall cost and financing does not yet appear to be adequately developed. The subcommittee recommends the amount of \$22,311,000 for the National Gallery of Art and \$1,611,000 for the Woodrow Wilson International Center for Scholars. There are minor reductions made in the budget requests of those programs but they will impose no impairments on the excellent programs of those institutions.

The subcommittee conducted extensive and exhaustive hearings in connection with the National Foundation on the Arts and the Humanities and concluded that the grant review and award processes of both institutions are sound. No reductions are proposed for those programs although additional administration funds are proposed at the expense of the matching grant programs in offsetting amounts as explained in the subcommittee report.

Mr. Chairman, this is a good bill, a balanced bill, and I recommend that it be reported to the House by the committee.

□ 1640

Mr. McDADE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise in support of H.R. 4930 making appropriations for the Department of the Interior and related agencies and to urge its approval by the Members of this House.

Mr. Chairman, over the years this bill has been described as an all American bill—a resource bill and an energy bill. It is all of those things. In my judgment, it is one of the most important bills we

consider each year because it gets right to the heart of the two major concerns of every American—inflation and energy. It does this by funding the management of our Nation's natural, cultural, energy, and human resources of the millions of Americans on Indian reservations and in the trust territories.

To steer the diverse programs of this bill through the House our committee is fortunate to benefit from the leadership and the skill of my friend from Illinois, **SID YATES**. The gentleman always conducts our hearings, our markups, and our activities in a most thorough, bipartisan manner and with, I might say, an incredible amount of patience. The result has been a bill that each year reflects the maximum input of all of this subcommittee.

Mr. Chairman, the bill we bring before you today is the very careful product of many months of deliberation as to how we can best meet the national mandate to develop and replenish our national resources. The delay in bringing this bill before you is testimony to a major dilemma we faced this year. We undertook this task with a budget submitted to our committee that was totally deficient in the critical areas of energy. We could have brought to you a bill that went along with that budget and ignored those resource programs that we have initiated and which Congress has supported through the years. Or we could choose to meet those budget problems head on. We chose the latter.

Our chairman, **SID YATES**, has told you about some of those decisions. He noted that the committee did not just add funds here and there. We cut, too, and we made some cuts that are going to hurt some popular programs. We cut \$633.5 million out of 171 programs contained in this bill. But we did it to stress our desire to rewrite this bill to bring you a product that clearly backs up our Nation's goals with the dollars to realize them.

For example, while it is true that we bring to you a bill that is \$1.7 billion over the budget—\$1.5 billion of which is to fund the recently passed Moorhead bill, H.R. 3930. It is probable that the \$1.5 billion will never add to this year's outlays. But our committee has served public notice to the Nation that we are serious about creating a synthetic fuel industry, and we intend to provide the dollars as soon as possible.

We were presented with budget estimates that did not respond to the national sense of emergency that confronts us with regard to our energy dilemma. We considered a budget that eliminated funds for additional oil exploration on the national petroleum reserve in Alaska. These funds were cut by OMB in the name of "budget austerity." And we made a decision that will keep the U.S. Government in the business of drilling for oil on Federal lands. The other choice was to sit back and do nothing. We chose to go forward and we added \$141 million above the budget to keep Husky Oil Co. drilling on the North Slope.

I commend the additional views at the end of the report to your attention. Twenty-four Members signed them to

express the committee's strong belief that we can serve a key role in future congressional deliberations on the synthetic fuels question. While our committee did proceed to fund the provisions of the Moorhead bill, we should have gone farther in creating a synthetic fuels industry through this appropriations bill. The additional views and the testimony heard before the committee, which I would also urge you to read, makes a compelling and convincing case for fast action now. The members of our committee will watch the progress of synthetic fuels legislation in the coming months and will offer our proposal to the Congress as an acceptable vehicle to create this vital industry.

I urge the Members of this House to examine our actions on the energy budget. We believe we invested tax dollars wisely on projects with the most realistic chances of success in the short and long term. Forty percent of this budget, \$4.2 billion, funds the Energy and Interior Department's energy agencies. We provided \$3.3 billion directly to the Department of Energy to move forward on both solvent refined coal processes, a high Btu gasification demonstration plant, and a low Btu plant. These processes are at the heart of our Nation's effort to convert coal to clean-burning solids, liquids and gas for use as a substitute for high-priced OPEC oil. Again, the administration being pennywise and pound foolish wanted to fund only one SRC plant until it got its energy security trust fund. We said no, we cannot wait. We need them both. And we provided \$54 million for both plants.

In addition to this activity, the committee did not neglect the new initiatives designed to provide alternate sources of energy from oil. We added \$3 million for MHD, \$3.2 million to begin a new program to extract oil from tar sands, an additional \$6 million for urban waste research and more funding for fuel cells, \$6.5 million to test their effectiveness as a residential and industrial source of heat and power. This is a good energy budget and one you can support with enthusiasm.

The committee was faced with the painful choices that were contained in the administration's budget for the U.S. Forest Service, a budget so inadequate that it could not possibly meet the President's publicly expressed goal of a 12.7 billion board feet timber cut. The administration wants to cut the timber, but it does not want to build the roads, conduct the research, and reforest the timber stands that would allow that cut to happen. We could have chosen to accept the budget's recommendation that we fund an 11.7 billion board foot timber cut or we could increase the funding to accommodate a larger cut, and we did to 12.2 billion board feet. In addition, the committee decided to take the first steps to fund, at a vastly reduced level from last year, the very successful and very popular YCC program. We added plus \$27 million to provide employment for 18,000 young people next summer on our Nation's public lands. The YCC provides \$1 in return for every dollar spent in needed conservation. Nevertheless, our

funding level is still \$32 million below last year's level.

We are spending \$1.6 billion for programs designed to open new educational economic and health improvement opportunities for our Native Americans. Forty-five thousand Indian children benefit directly from the educational programs you approve here today, while another 325,000 children and adults have renewed opportunity to get a better education and better job opportunity because of the programs advanced by the Office of Indian Education.

Perhaps the best way to measure whether or not your dollars are being put to work by the Indian Health Service is the statistics showing over the past 20 years we have increased the life expectancy of Indian children by 5 years; we have reduced the death rate from influenza and pneumonia by 65 percent and 72 percent respectively, and we have practically eliminated the threat of death from tuberculosis to Indian children. There are other meaningful numbers which indicate the great progress we are making here.

I am certain that many of you have heard about the committee's actions regarding the fish, wildlife, parks, and recreation items in this bill—accounts which total nearly \$1.5 billion. One of the most unpleasant choices the committee was forced to make was to reduce the State share of funding under the land and water conservation fund by \$159 million. We made this cut to try to bring some symmetry to our bill to offset some vital increases in energy and the Forest Service and to try to avoid the prospect of a veto down the road. To offset some of the difficulty we may be causing the States, we funded the urban parks program at \$125 million, a reduction of \$25 million below the budget request. However, the Congress has just given final approval to the fis-

cal year 1979 supplemental appropriations bill containing \$22 million for this initiative and this, when combined with the money here, will give the HCRS an active program this year and next.

The committee also reaffirmed its support for the historical preservation program by adding \$5 million, bringing the program to a \$50 million level—a level which is still \$10 million below what we approved last year.

The three major items of note to the members in the National Park Service are the committee's denial of the proposal to purchase the concession at Yellowstone National Park—a \$15 million saving made possible by the lack of sufficient information available to the committee. In addition, because the House has adopted legislation freezing the fee levels for the national parks we reduced the fee account by \$12.6 million. In addition, the committee made a \$24 million commitment to complete 300 miles of the Natchez Trace Parkway.

The committee will also note that we devote one-half billion dollars in this bill to the management of our Nation's land and water activities in the Bureau of Land Management and the Office of Water Resources Research. The \$7 million increases in the BLM highlight the committee's desire to improve recreation, range management, and cadastral survey programs on the 417 million acres of land on shore and 1.1 billion acres on the Outer Continental Shelf. You will note that the committee also gave the go-ahead to the OWRT to accelerate the development of their saline water facilities in Virginia Beach, Va., and Alamogordo, N. Mex.

In summary, I hope you will give your support and your endorsement of the actions taken by the committee. This bill deserves support from both sides of the aisle because it is a bill that meets the recreational, cultural, energy, and national resource needs of our Nation.

Mr. Chairman, this bill contains some very significant amendments designed to assist the National Park Service in the long overdue development of the Delaware Water Gap National Recreation Area. This park, which borders on my congressional district, has endured tremendous growing pains because of the uncertainty surrounding construction of the Tocks Island Dam.

Much of that uncertainty has been eliminated because of the actions of the Congress by enacting legislation to include the Delaware River in the National Wild and Scenic Rivers System. Now we can proceed to accurately define the park boundary, identify carefully just what lands will be acquired and what lands will be left in private ownership and, most importantly, we can proceed to develop the facilities to make the park more attractive to visitors.

Millions of visitors are coming to the DWGNRA from all across the Nation, and because it is one of the largest of the eastern parks so close to the major population centers, we desperately need to improve the services available to these new visitors. The amendments which are contained in this bill will accomplish that improvement.

This bill contains \$2 million for improvements in the park, including historic site restoration, road repairs, and other development activities. In addition, the committee provided \$250,000 to be made available for cleanup and law enforcement activities in the five counties adjacent to the upper Delaware. This money, \$50,000 for each of the counties, will implement my legislation enabling them to be assisted in meeting the expected increase in campers, canoeists, and other tourists that will certainly come to the upper Delaware to enjoy its many attractions.

Mr. YATES. I want to insert the following table:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1979 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1980

Agency and item (1)	New budget (obligational) authority, fiscal year 1979 <sup>1</sup> (2)	Budget estimates of new (obligational) authority, fiscal year 1980 (3)	New budget (obligational) authority, recommended in bill (4)	Bill compared with—	
				New budget (obligational) authority, fiscal year 1979 (5)	Budget estimates of new (obligational) authority, fiscal year 1980 (6)
TITLE I—DEPARTMENT OF THE INTERIOR					
LAND AND WATER RESOURCES					
Bureau of Land Management:					
Management of lands and resources.....	\$335,003,000	\$287,931,000	\$295,361,000	—\$39,642,000	+\$7,430,000
Acquisition, construction, and maintenance.....	19,011,000	16,343,000	16,343,000	—2,668,000	.....
Payments in lieu of taxes.....	105,000,000	108,000,000	108,000,000	+3,000,000	.....
Oregon and California grant lands (indefinite, appropriation of receipts).....	55,000,000	55,000,000	55,000,000	.....	.....
Range improvements (indefinite, appropriation of receipts).....	8,665,000	10,900,000	10,900,000	+2,235,000	.....
Recreation development and operation of recreation facilities (indefinite, special fund).....	300,000	300,000	300,000	.....	.....
Service charges, deposits, and forfeitures (indefinite, special fund).....	13,750,000	13,750,000	13,750,000	.....	.....
Miscellaneous trust funds (indefinite).....	100,000	100,000	100,000	.....	.....
Total, Bureau of Land Management.....	536,829,000	492,324,000	499,754,000	—37,075,000	+7,430,000
Office of Water Research and Technology: Salaries and expenses.....	28,357,000	30,739,000	30,977,000	+2,620,000	+238,000
Total, Land and Water Resources.....	565,186,000	523,063,000	530,731,000	—34,455,000	+7,668,000
FISH AND WILDLIFE AND PARKS					
Heritage Conservation and Recreation Service:					
Salaries and expenses.....	15,174,000	14,954,000	15,656,000	+482,000	+702,000
Urban park and recreation fund.....	20,000,000	150,000,000	125,000,000	+105,000,000	—25,000,000
Land and Water Conservation Fund (indefinite).....	737,025,000	598,000,000	447,059,000	—289,966,000	—150,941,000
Historic preservation fund.....	60,000,000	45,000,000	50,000,000	—10,000,000	—5,000,000
Total, Heritage Conservation and Recreation Service.....	832,199,000	807,954,000	637,715,000	—194,484,000	—170,239,000

See footnotes at end of table.



## COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1979 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1980—Continued

Agency and item (1)	New budget (obligational) authority, fiscal year 1979 <sup>1</sup> (2)	Budget estimates of new (obligational) authority, fiscal year 1980 (3)	New budget (obligational) authority, recommended in bill (4)	Bill compared with—	
				New budget (obligational) authority, fiscal year 1979 (5)	Budget estimates of new (obligational) authority, fiscal year 1980 (6)
FISH AND WILDLIFE AND PARKS—Continued					
U.S. Fish and Wildlife Service:					
Resource management.....	\$200,629,000	\$207,055,000	\$207,055,000	+\$6,426,000	.....
Construction and anadromous fish.....	97,856,000	47,574,000	56,327,000	-41,529,000	+\$8,753,000
Migratory bird conservation account (definite, repayable advance).....	10,000,000	10,000,000	15,000,000	+5,000,000	+5,000,000
Development and operation of recreation facilities (indefinite, special fund).....	150,000	200,000	200,000	+50,000	.....
Total, U.S. Fish and Wildlife Service.....	308,635,000	264,829,000	278,582,000	-30,053,000	+13,753,000
National Park Service:					
Operation of the national park system.....	386,806,000	382,777,000	383,512,000	-3,294,000	-735,000
Construction.....	118,488,000	85,358,000	97,144,000	-21,344,000	+11,786,000
Planning, development, and operation of recreation facilities (indefinite, special fund).....	15,478,000	28,465,000	15,781,000	+303,000	+12,684,000
John F. Kennedy Center for the Performing Arts.....	4,055,000	4,287,000	3,875,000	-180,000	-412,000
Total, National Park Service.....	524,827,000	500,887,000	500,312,000	-24,515,000	-575,000
Total, Fish and Wildlife and Parks.....	1,665,661,000	1,573,670,000	1,416,603,000	-249,052,000	-157,061,000
ENERGY AND MINERALS					
Geological Survey:					
Surveys, investigations, and research.....	418,606,000	451,021,000	448,290,000	+29,684,000	-2,731,000
Exploration of national petroleum reserve in Alaska.....	231,048,000	4,427,000	145,927,000	-85,121,000	+141,500,000
Total, Geological Survey.....	649,654,000	455,448,000	594,217,000	-55,437,000	+138,769,000
Bureau of Mines:					
Mines and minerals.....	148,507,000	135,194,000	134,883,000	-13,624,000	-311,000
Helium fund (permanent contract authority).....	.....	47,500,000	.....	.....	-47,500,000
Total, Bureau of Mines.....	148,507,000	182,694,000	134,883,000	-13,624,000	-47,811,000
Office of Surface Mining Reclamation and Enforcement:					
Regulation and technology.....	53,944,000	81,320,000	85,520,000	+31,576,000	+4,200,000
Abandoned mine reclamation fund (definite, trust fund).....	61,451,000	113,916,000	111,416,000	+49,965,000	-2,500,000
Total, Office of Surface Mining Reclamation and Enforcement.....	115,395,000	195,236,000	196,936,000	+81,541,000	+1,700,000
Total, Energy and Minerals.....	913,556,000	833,378,000	926,036,000	+12,480,000	+92,658,000
INDIAN AFFAIRS					
Bureau of Indian Affairs:					
Operation of Indian programs.....	792,052,000	792,020,000	792,753,000	+701,000	+733,000
Construction.....	126,554,000	67,721,000	83,395,000	-43,159,000	+15,674,000
Road construction.....	79,253,000	58,379,000	60,379,000	-18,874,000	+2,000,000
Alaska native fund.....	30,000,000	30,000,000	30,000,000	.....	.....
Trust funds (definite).....	3,000,000	3,000,000	3,000,000	.....	.....
Trust funds (indefinite).....	23,000,000	23,000,000	23,000,000	.....	.....
Eastern Indian Land Claims Fund.....	3,500,000	.....	.....	-3,500,000	.....
Total, Bureau of Indian Affairs.....	1,057,359,000	974,120,000	992,527,000	-64,832,000	+18,407,000
TERRITORIAL AFFAIRS					
Office of Territorial Affairs:					
Administration of territories.....	53,517,000	46,804,000	84,161,000	+30,644,000	+37,357,000
Trust Territory of the Pacific Islands.....	114,706,000	99,010,000	112,760,000	-1,946,000	+13,750,000
Micronesian Claims Fund, Trust Territory of the Pacific Islands.....	12,600,000	.....	.....	-12,600,000	.....
Total, Office of Territorial Affairs.....	180,823,000	145,814,000	196,921,000	+16,098,000	+51,107,000
SECRETARIAL OFFICES					
Office of the Solicitor: Salaries and expenses.....	15,085,000	15,619,000	15,500,000	+415,000	-119,000
Office of the Secretary:					
Departmental management.....	43,100,000	48,761,000	45,760,000	+2,660,000	-3,001,000
Construction management.....	.....	.....	9,400,000	+9,400,000	+9,400,000
Salaries and expenses (special foreign currency program).....	1,000,000	1,000,000	1,000,000	.....	.....
Total, Office of the Secretary.....	44,100,000	49,761,000	56,160,000	+12,060,000	+6,399,000
Total, Secretarial Offices.....	59,185,000	65,380,000	71,660,000	+12,475,000	+6,280,000
Total, title I, new budget (obligational) authority, Department of the Interior.....	4,441,770,000	4,115,425,000	4,134,484,000	-307,286,000	+19,059,000
Consisting of:					
Appropriations.....	4,441,770,000	4,067,925,000	4,134,484,000	-307,286,000	+66,559,000
Definite appropriations.....	3,588,302,000	3,338,210,000	3,568,394,000	-19,908,000	+230,184,000
Indefinite appropriations.....	853,468,000	729,715,000	566,090,000	-287,378,000	-163,625,000
Permanent contract authority.....	.....	47,500,000	.....	.....	-47,500,000
TITLE II—RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service: Forest management, protection and utilization:					
Forest research.....	110,969,000	105,064,000	109,490,000	-1,479,000	+4,426,000
State and private forestry.....	54,870,000	37,938,000	65,964,000	+11,094,000	+28,026,000
National forest system.....	761,235,000	752,137,900	847,151,000	+85,916,000	+95,014,000
Total, Forest management, protection and utilization.....	927,074,000	895,139,900	1,022,605,000	+95,531,000	+127,466,000

See footnotes at end of table.

## COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1979 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1980—Continued

Agency and item (1)	New budget (obligational) authority, fiscal year 1979 <sup>1</sup> (2)	Budget estimates of new (obligational) authority, fiscal year 1980 (3)	New budget (obligational) authority, recommended in bill (4)	Bill compared with—	
				New budget (obligational) authority, fiscal year 1979 (5)	Budget estimates of new (obligational) authority, fiscal year 1980 (6)
DEPARTMENT OF AGRICULTURE—Continued					
Construction and land acquisition.....	\$36,177,000	\$337,438,000	\$425,823,000	+\$389,646,000	+\$188,385,000
Youth conservation corps.....	60,000,000		27,400,000	—32,600,000	+27,400,000
Forest roads.....	243,466,000			—243,466,000	
Forest roads and trails.....	231,392,000			—231,392,000	
Timber salvage sales.....	3,000,000			—3,000,000	
Acquisition of lands for national forests:					
Special acts (special fund, indefinite).....	385,000	325,000	325,000	—60,000	
Acquisition of lands to complete land exchanges (special fund, indefinite).....	239,000	155,000	155,000	—84,000	
Rangeland improvements (special fund, indefinite).....	5,400,000	5,900,000	5,900,000	+500,000	
Assistance to States for tree improvement.....	1,522,000			—1,522,000	
Construction and operation of recreation facilities (indefinite, special fund).....	3,459,000	3,850,000	3,850,000	+391,000	
Rights of way (indefinite).....	100,000			—100,000	
Total, Forest Service.....	1,512,214,000	1,242,807,000	1,486,058,000	—26,156,000	+243,251,000
DEPARTMENT OF ENERGY					
Fossil energy research and development.....	\$578,189,000	\$675,592,000	699,377,000	+121,188,000	+23,785,000
Fossil energy construction.....	99,709,000	77,050,000	71,250,000	—28,459,000	—5,800,000
Energy production, demonstration and distribution.....	\$169,415,000	\$124,299,000	125,971,000	—43,444,000	+1,672,000
Energy conservation.....	707,455,000	\$557,995,000	545,552,000	—161,903,000	—12,443,000
Reappropriation.....		\$200,000,000	197,500,000	+197,500,000	—2,500,000
Economic Regulatory Administration.....	\$100,333,000	\$159,646,000	125,697,000	+25,364,000	—33,949,000
Strategic petroleum reserve.....	\$3,007,071,000	8,391,000	8,391,000	—2,998,680,000	
Energy Information Administration.....	\$60,544,000	88,657,000	87,273,000	+26,729,000	—1,384,000
Synthetic fuels production.....			1,500,000,000	+1,500,000,000	+1,500,000,000
Total, Department of Energy.....	4,722,716,000	1,891,630,000	3,361,011,000	—1,361,705,000	+1,469,381,000
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE					
Health Services Administration:					
Indian health services.....	489,493,000	535,116,000	541,449,000	+51,956,000	+6,333,000
Indian health facilities.....	76,960,000	50,240,000	74,302,000	—2,658,000	+24,062,000
Total, Indian health.....	566,453,000	585,356,000	615,751,000	+49,298,000	+30,395,000
Office of Education: Indian education.....	71,735,000	76,875,000	75,875,000	+4,140,000	—1,000,000
Office of the Assistant Secretary for Education: Institute of Museum Service.....	7,852,000	10,900,000	10,900,000	+3,048,000	
Total, Department of Health, Education, and Welfare.....	646,040,000	673,131,000	702,526,000	+56,486,000	+29,395,000
NAVAJO AND HOPI INDIAN RELOCATION COMMISSION					
Salaries and expenses.....	8,752,000	950,000	950,000	—7,802,000	
SMITHSONIAN INSTITUTION					
Salaries and expenses.....	98,202,000	104,740,000	103,498,000	+5,296,000	—1,242,000
Museum programs and related research (special foreign currency program).....	3,700,000	7,700,000	3,700,000		—4,000,000
Science Information Exchange.....	2,063,000			—2,063,000	
Construction and improvements, National Zoological Park.....	3,900,000	6,550,000	6,500,000	+2,600,000	—50,000
Restoration and renovation of buildings.....	2,100,000	4,900,000	5,250,000	+3,150,000	+350,000
Construction.....	575,000	21,100,000	20,600,000	+20,025,000	—500,000
Subtotal.....	110,540,000	144,990,000	139,548,000	+29,008,000	—5,442,000
Salaries and expenses, National Gallery of Art.....	19,281,000	22,577,000	22,311,000	+3,030,000	—266,000
Salaries and expenses, Woodrow Wilson International Center for Scholars.....	1,588,000	1,648,000	1,611,000	+23,000	—37,000
Total, Smithsonian Institution.....	131,409,000	169,215,000	163,470,000	+32,061,000	—5,745,000
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES					
National Endowment for the Arts:					
Salaries and expenses.....	102,160,000	97,000,000	97,000,000	—5,160,000	
Administrative expenses.....	9,925,000	10,500,000	12,000,000	+2,075,000	+1,500,000
Subtotal.....	112,085,000	107,500,000	109,000,000	—3,085,000	+1,500,000
Matching grants (indefinite).....	37,500,000	46,900,000	45,400,000	+7,900,000	—1,500,000
Total, National Endowment for the Arts.....	149,585,000	154,400,000	154,400,000	+4,815,000	
National Endowment for the Humanities:					
Salaries and expenses.....	98,300,000	100,300,000	100,300,000	+2,000,000	
Administrative expenses.....	10,431,000	10,800,000	11,400,000	+969,000	+600,000
Subtotal.....	108,731,000	111,110,000	111,700,000	+2,969,000	+600,000
Matching grants (indefinite).....	36,500,000	39,000,000	38,400,000	+1,900,000	—600,000
Total, National Endowment for the Humanities.....	145,231,000	150,100,000	150,100,000	+4,869,000	
Total, National Foundation on the Arts and the Humanities.....	294,816,000	304,500,000	304,500,000	+9,684,000	
COMMISSION OF FINE ARTS					
Salaries and expenses.....	263,000	271,000	268,000	+5,000	—3,000
ADVISORY COUNCIL ON HISTORIC PRESERVATION					
Salaries and expenses.....	1,204,000	1,672,000	1,350,000	+146,000	—322,000

See footnotes at end of table.



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1979 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1980—Continued

Agency and item	Bill compared with—				
	New budget (obligational) authority, fiscal year 1979 <sup>1</sup>	Revised budget estimates of new (obligational) authority, fiscal year 1980 <sup>2</sup>	New budget (obligational) authority recommended in bill	New budget (obligational) authority, fiscal year 1979	Budget estimates of new (obligational) authority, fiscal year 1980
(1)	(2)	(3)	(4)	(5)	(6)
<b>TITLE II—RELATED AGENCIES—Continued</b>					
<b>NATIONAL CAPITAL PLANNING COMMISSION</b>					
Salaries and expenses	\$2,019,000	\$2,193,000	\$1,975,000	—\$44,000	—\$218,000
<b>FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION</b>					
Salaries and expenses	20,000	10,000	40,000	+20,000	+30,000
<b>JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION FOR ALASKA</b>					
Salaries and expenses	594,000			—594,000	
<b>PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION</b>					
Salaries and expenses	1,659,000	1,856,000	1,811,000	+152,000	—45,000
Land acquisition and development fund (borrowing authority)	33,000,000	17,000,000	17,000,000	—16,000,000	
Public development	30,255,000	20,110,000	20,110,000	—10,145,000	
Total, Pennsylvania Avenue Development Corporation	64,914,000	38,966,000	38,921,000	—25,993,000	—45,000
Total, title II, new budget (obligational) authority, related agencies	7,384,961,000	4,325,345,000	6,061,069,000	—1,323,892,000	+1,735,724,000
Consisting of:					
Appropriations	7,351,961,000	4,108,345,000	5,846,569,000	—1,505,392,000	+1,738,224,000
Definite appropriations	7,268,378,000	4,012,215,000	5,752,539,000	—1,515,839,000	+1,740,324,000
Indefinite appropriations	83,583,000	96,130,000	94,030,000	+10,447,000	—2,100,000
Reappropriation		200,000,000	197,500,000	+197,500,000	—2,500,000
Borrowing authority	33,000,000	17,000,000	17,000,000	—16,000,000	
<b>RECAPITULATION</b>					
Total, new budget (obligational) authority, all titles	11,826,731,000	8,440,770,000	10,195,553,000	—1,631,178,000	+1,754,783,000
Consisting of:					
Appropriations	11,793,731,000	8,176,270,000	9,981,053,000	—1,812,678,000	+1,804,783,000
Definite appropriations	(10,856,680,000)	(7,350,425,000)	(9,320,933,000)	(—1,535,747,000)	(+1,970,508,000)
Indefinite appropriations	(937,051,000)	(825,845,000)	(660,120,000)	(—276,931,000)	(—165,725,000)
Reappropriation		200,000,000	197,500,000	+197,500,000	—2,500,000
Borrowing authority	33,000,000	17,000,000	17,000,000	—16,000,000	
Permanent contract authority		47,500,000			—47,500,000

<sup>1</sup> Includes fiscal year 1979 supplemental appropriations contained in H.R. 4289 as passed by the House.

<sup>2</sup> Includes budget amendment of \$7,600,000 contained in H. Doc. 96-145 as follows: Forest research, \$400,000; State and private forestry, \$1,750,000; National Forest system, \$3,559,000; and construction and land acquisition, \$1,891,000.

<sup>3</sup> Excludes \$79,200,000 from programs previously included in "Energy Conservation" and \$1,613,000 from programs previously included in "Energy, Science and Defense Activities—Operating Expenses" which are now included in fiscal year 1980 estimates.

<sup>4</sup> Includes \$5,000,000 transferred from "Energy Supply, Research and Development—Operating Expenses" account.

<sup>5</sup> Excludes \$2,284,000 from "Energy, Science and Defense Activities—Operating Expenses" which are now included in fiscal year 1980 estimates.

<sup>6</sup> Includes \$2,000,000 transferred from "Departmental Administration" account.

<sup>7</sup> Includes \$79,200,000 for programs transferred to "Fossil Fuel—Operating Expenses" in fiscal year 1980 estimates and excludes \$2,503,000 from programs previously included in "Energy, Science and Defense Activities—Operating Expenses" which are now included in fiscal year 1980 estimates.

<sup>8</sup> Includes \$2,700,000 transferred from "Energy Supply, Research and Development—Operating Expenses" account.

<sup>9</sup> Reappropriation of funds for conservation grants for schools and health care facilities, appropriated in Public Law 95-240, the availability of which is due to expire on Sept. 30, 1979. Budget proposes extension of availability—a reappropriation under concepts agreed to between the Office of Management and Budget and the Appropriations Committees.

<sup>10</sup> Includes \$4,100,000 for programs transferred to "Energy Information Administration" account in fiscal year 1980 estimates.

<sup>11</sup> Excludes \$675,000 from programs previously included in "Energy, Science and Defense Activities—Operating Expenses" which are now included in fiscal year 1980 estimates.

<sup>12</sup> Excludes \$4,100,000 for programs previously included in "Energy Regulatory Administration" account which are now included in fiscal year 1980 estimates.

The CHAIRMAN. The time of the gentleman from Pennsylvania (Mr. McDADE) has expired.

Mr. McDADE. Mr. Chairman, I yield myself 2 additional minutes.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. McDADE. I yield to the gentleman from New Jersey.

Mrs. FENWICK. Mr. Chairman, I thank my colleague for yielding.

There are two matters that have concerned me on the subject of forests, and one of them involves the problem of increasing desiccation by overgrazing on our forest lands. I wondered if that had been taken into consideration by the committee or whether that would be more in the purview of the authorizing committee.

Mr. McDADE. Mr. Chairman, perhaps the gentleman noticed the article that appeared in the New York Times Sunday.

Mrs. FENWICK. Yes.

Mr. McDADE. It concerned both the Bureau of Land Management and the U.S. Forest Service, both of which have grazing areas.

I want to assure the gentleman that this is a problem that has been of great concern to us for the past 10 years. This committee, without ever getting a budget request, has engaged in a program in both the BLM and in the U.S. Forest Service to try to get those lands in shape.

Let me say that a group instituted a court action which prevented the funds we had appropriated from being spent on the land. Happily, that dispute is now resolved, and we can look forward to improvements in both ranges.

Mrs. FENWICK. Mr. Chairman, I have one further question, if the gentleman will yield?

Mr. McDADE. I yield to the gentleman from New Jersey.

Mrs. FENWICK. Mr. Chairman, this refers to page 5 of the report, to which the gentleman from Illinois (Mr. YATES) suggested we should turn.

The OMB recommended no funds to continue the Youth Conservation Corps and recommended instead the Youth Adult Conservation Corps.

What were the considerations involved in keeping the Youth Conservation Corps

in favor of the recommendations of the OMB that it be discontinued?

Mr. McDADE. Mr. Chairman, the YCC is the only program on the books that provides an 8-week work experience in our national forests, parks, woodlands, and certain urban areas. It is partly administered by the Labor Department.

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For every dollar invested in employing those youngsters and in giving them the work experience, we get a dollar back in benefits, because indeed they do work on our national assets.

Mrs. FENWICK. What is the difference between the two?

Mr. McDADE. One of them is a limitation to youngsters; the YCC is 15 to 18, and an 8-week course, and the YACC is a program that applies to older children and has a different time period.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. McDADE. I yield to the gentleman from Illinois.

Mr. YATES. YACC is a year-round program. The YCC program is a summer program only.

Mr. McDADE. They are targeted at different groups. The administration recommended zero. We have it in as a committee consensus.

● Mr. WYDLER. Mr. Chairman, the Science and Technology Committee last year adopted my amendment for \$5.4 million to initiate a comprehensive oil heat R. & D. and marketing program. That money was appropriated for fiscal year 1979 and this year DOE requested \$3.85 million for their follow-on activity. This is a vital program for people in the Northeast who depend heavily on oil to heat their homes.

The \$500,000 of the DOE request was set aside by our committee from the important oil-fired unit demonstration to the space conditioning in research project activity at Brookhaven National Laboratory. This demonstration activity was designed in three phases, the first two of which require Federal stimulation.

The redirection of funds in this program will speed the introduction of advanced combustion concepts and furnaces to raise efficiency 40 to 50 percent. This is a vital R. & D. program for the Northeast and deserves strong support.

#### FOSSIL ENERGY (COAL-OIL COMBUSTION RESEARCH)

This \$250,000 is for restoration of the university research on coal-oil mixtures which was funded last year under advanced research and supporting technology but was not included in the fiscal year 1980 request. The coal-oil mixtures program was reduced by \$2,950,000 in fiscal year 1980 and there are insufficient funds to complete important activity on contracts outside the energy technology centers. This set-aside is specifically for Adelphi College Center for Energy Studies and complements a smaller program sponsored by EPA which is directed at reducing emissions by coal/oil combustion. The work consists of coal desulfurization during combustion of coal-oil water emulsions. This is an economic alternative to clean liquid from coal.

#### SYNTHETIC FUELS PRODUCTION

This bill, as the Moorhead bill before it and the DOE authorization H.R. 3000, is a genuine energy supply bill. I recall 3 years ago when our Science and Technology Committee struggled vainly to push major initiatives for synthetic fuels production.

Outside of projects at the pilot plant scale, this country has made little progress since then because industry has not been given the incentive. I believe that setting production goals of 500,000 barrels a day by 1985, as in H.R. 4930, is the incentive that should catalyze the synthetic programs.

In the Northeast we are particularly interested in major liquefaction projects but advanced gasification techniques cannot be ignored because they are a vital source for petroleum substitutes.

I urge my colleagues to support this bill. I also want to congratulate Mr. McDADE and Mr. YATES for bringing it to the floor. It is a genuine energy supply bill.

Mr. YATES. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. BENJAMIN).

Mr. BENJAMIN. Mr. Chairman, I rise to thank the distinguished chairman of the committee, the gentleman from Illinois (Mr. YATES), and his fine ranking minority member, the gentleman from Pennsylvania (Mr. McDADE), for developing a truly comprehensive bill and report.

I also take this time to inquire of my chairman if I am correct to understand that the demonstration of a new coke-making technique, described by the committee in its discussion of industrial energy conservation on page 76 of the committee report, refers to the Inland Steel Corp.'s proposed project in East Chicago, Ind.?

Mr. YATES. If the gentleman will yield, the gentleman is correct.

Mr. BENJAMIN. Originally, a request for \$5 million was made for this project for fiscal year 1980. Does the committee's decision not to fund this project during the coming fiscal year reflect its disapproval of the project?

Mr. YATES. No, I would say to the gentleman that is not a disapproval. The committee has taken no action because the Department of Energy has asked for time to review the proposal. That is the reason that the committee took no action. We are waiting for the report from the Department of Energy.

Mr. BENJAMIN. I thank the chairman.

I wonder if the ranking minority member would have a comment on that.

Mr. McDADE. If the gentleman will yield, I am delighted to respond to him.

I echo the sentiments of the gentleman from Illinois (Mr. YATES). We await the report. We appreciate the fact that the gentleman from Indiana brings it to our attention. We are interested in it.

Mr. BENJAMIN. I thank the gentleman very much.

A final question, Mr. Chairman.

In its report, the committee states they expect a comprehensive report on this process, its energy-saving potential and its benefits and costs in time to be considered in the fiscal year 1981 congressional budget process. As chairman of the Interior Subcommittee, what date does the gentleman believe the subcommittee should release its report in order to allow for a full and careful review prior to the consideration of the fiscal year 1981 legislation?

Mr. YATES. If the gentleman will yield, I will tell the gentleman that I would expect that report to be provided to the subcommittee early next year and it will be considered during the hearings on the fiscal year 1981 budget.

Mr. BENJAMIN. I thank the chairman and the ranking minority member.

Mr. McDADE. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, I will not take the 5 minutes, but I do want to commend the chairman, the ranking minority member, and the other members of this subcommittee for an excellent bill. This is a difficult bill, because we deal with a lot of matters of great interest to many groups. For example, this bill funds the Bureau of Indian Affairs. They have great needs. There is never enough money to go around for the national parks and forest development and the

many other responsibilities of Government that are funded in this bill. A strenuous effort was made to bring out a balanced bill. The results are responsible in terms of building for the future and in terms of our national interest, and yet doing so with a concern for the budgetary impact.

The YCC program is funded in the amount of \$27 million. Just today I received a letter from a group in the 16th district, saying what an excellent job had been accomplished this summer by the YCC group. They worked hard. They accomplished a number of items of lasting benefit in our community.

Also, it should be pointed out that an effort has been made in this bill to increase funding for the urban parks, a recognition that the urban parks have great value to people because of the proximity to our population centers. The pressures will continue to grow as people pay a high cost for fuel and as shortages continue. There is a need for recreational facilities close to the location of population centers. Historically, we have developed magnificent national parks that are scattered around the country, but in many instances they have been distant from the population centers. In this bill we have attempted to address that problem by giving strong support to the urban parks development.

There will be an increase in timber cutting that will result from the increased funding. This is vital if we are to maintain accessibility to lumber at a reasonable cost to those who want to build. It will be helpful in reducing the inflationary growth of the costs in the building industry.

The funding of the two SRC demonstration plants is important. We have gone beyond just the R. & D. stage and said, "Let us get on with the program that will produce synthetic fuels," recognizing that down the road this becomes a very vital part of the fuel needs of this Nation.

In terms of the Forest Service, there is a provision for multiple use, again a recognition that there is a growing need for the recreational aspects of forest lands.

On balance, if you take the bill as a total, it represents a good stewardship of a vital American resource, and that is the public lands. Most people do not realize that we have over 750 million acres of land that is owned by the U.S. Government. This represents one-third of all of the land in the United States, and this does not include the offshore areas that are under control of the U.S. Government, also.

As we all recognize, land is growing tremendously in value. Land is an asset that is precious to all of us, and what we have tried to do in this bill is to manage the public lands wisely for the benefit of present users and also to preserve these assets for the future.

I certainly commend to all of my colleagues the support of the bill that is before us today.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, first of all I want to say that I commend the distinguished chairman, the gentleman



from Illinois (Mr. YATES), and the ranking minority member, the gentleman from Pennsylvania (Mr. McDADE), for the outstanding leadership they have provided on this bill.

I think this bill in its totality is an outstanding piece of legislation that addresses the natural resource problems of this country, it does much for our national parks, and it funds and takes care of the critical problems facing our need to develop energy alternatives for our country.

I have one small reservation about this bill which I have expressed to my two distinguished leaders on this committee, and that deals with the National Petroleum Reserve of Alaska.

The administration does not support funding included in this bill for next year's fiscal year 1980 budget of \$141.5 million to drill 5 additional wells as part of this project.

Today we have already funded drilling of 19 wells in Alaska. The administration says it is prepared now to present its view that we ought to go ahead and have private exploration and, thus, the expenditure of an additional \$141.5 million simply is not required.

Now, that is just the beginning. There is money in this bill for four wells for next year, and that might cost another \$191 million, plus the eventual termination cost of some \$50 million, for a total expenditure of \$381 million over the next 2, 2½ years.

Quite frankly, at a time when we cannot fund fully the Land and Water Conservation Fund of this country, at a time when we cannot fund the very important Youth Conservation Corps program, I am hard pressed to rationalize or justify this kind of a massive expenditure for only five additional wells.

I think it is time to turn over the National Petroleum Reserve of Alaska to the private sector so that we can get busy and develop the oil potential of this important area.

I hope when we begin dealing with amendments my colleagues will pay attention to an opportunity not to add to this bill, but to subtract from it, and to subtract from it in the two following fiscal years. This is a chance to save the taxpayers of this country approximately \$381 million. I think it is the right course of action. I intend, later on, to offer an amendment to that effect.

Mr. McDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. BURGNER).

□ 1700

Mr. BURGNER. I thank my colleague for yielding.

Mr. Chairman and my colleagues, I rise in wholehearted support of this bill in its entirety. As a new member of the committee assigned for the first time this year to this committee, it has been a real privilege to serve with the chairman of the committee, the gentleman from Illinois (Mr. YATES), with the gentleman from Pennsylvania (Mr. McDADE) and all of the members of the subcommittee.

I am pleased particularly that this bill addresses itself on the one hand to energy, to things that we must extract

from the ground, for our economy and our lifestyle and our security, and on the other hand in the very same document it deals with the conservation and the management of our resources and our public lands and acquisition of more public lands and the protection of our great resources. It deals in a responsible manner with both great needs.

So I think all in all it is an excellent document and a bill that should receive the overwhelming support of this committee.

Mr. YATES. Mr. Chairman, I yield 5 minutes to the gentleman from Washington (Mr. McCORMACK).

Mr. McCORMACK. First, I congratulate the chairman of the subcommittee, the gentleman from Illinois, and the ranking minority member, the gentleman from Pennsylvania, for their efforts in preparing this very important bill. I am disappointed that the schedule change bringing H.R. 4930 to the floor for consideration today has made it impossible for me to offer an amendment which would have restored \$159 million to the land and water conservation fund of the Heritage Conservation and Recreation Service. If the bill had been brought before the House in the orderly manner scheduled, I would have submitted an amendment. Such an initiative on my part is, of course, unrealistic when the bill is presented so suddenly and ahead of schedule.

A few words should be said about the history and public benefits of the land and water conservation fund.

A special fund to acquire public parks and related recreation resources and to aid in the development of State and local recreation resources was a central element of the report of the bipartisan Federal Outdoor Recreation Resources Review Commission in 1962. The Land and Water Conservation Fund Act was passed in 1965, again with strong bipartisan support. In the first 13 years of the fund some 22,000 State and local planning, acquisition and development projects have been undertaken with assistance from this program. Resources made available through the land and water conservation fund annually reach every State in the Union, the District of Columbia, and the territories through a population-based formula. From time to time since its original passage the Congress has recognized the constructive social and environmental significance of the fund, and has increased authorization levels for the program consistent with escalating acquisition and construction costs. In 1976 the Congress, by the overwhelming vote of 392 to 3 approved the present ceiling of \$900 million.

State and local projects are essentially selected by the respective State, with Federal overview; thus, there is a direct relationship between the perceived needs of the people and application of resources.

Let me speak directly to a concern that I personally share with most of the Members of Congress—fiscal responsibility. If we were to look closely at every single program—Federal, State or other—the land and water conservation fund stands out as one of the Nation's

more responsible and responsive, for several reasons: First. The Federal State matching ratio remains at 50 percent. Those familiar with Federal assistance will recognize that this is favorable to the Federal Government when compared to most other programs. While some users and potential users are concerned with this ratio, it remains one of the most conservative of all grants-in-aid programs.

Second. All of the long-term costs of project operation and maintenance are borne by State or local participants. They make that legal commitment when they receive the grant. The Federal Government has no further obligation.

Third. The program leverages significant amounts of local financial support; frequently more than five times as much as the Federal contribution.

Fourth. Funds allocated to each State must be legally obligated within a 3-year period. While the demand is such that over 90 percent of the funds are obligated in the first year, the program allows State and local governments to more rationally plan and arrange for their fiscal contributions.

Mr. Chairman, in the current situation of energy shortages and rapidly rising gasoline costs, visitor use of more close-to-home recreation and tourism resources has substantially increased, while use of more distant parks—accessible principally by auto—has dropped substantially. This seems to me no time to be cutting back on quality recreation facilities which can be made available close to home for most people.

I believe that the cuts made by the Appropriations Subcommittee, however well-intentioned they may have been, were ill-advised and unfortunate. I hope that they will be restored in the other body, and that the conferees on the House side will agree to adequate funding for these programs, at least at the level requested by the administration.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. YATES. I would like to assure the gentleman that the members of the subcommittee are as fully appreciative of the value of the land and water conservation fund as is our good friend from Washington.

It was only the budgetary constraints in this bill which required us to make the reduction in the fund for this year. I would like to assure the gentleman that, except for those restrictions, we would not have made that cut.

I would also like to assure the gentleman that it is my anticipation that if the Senate does restore that part of that funding, that it will receive very serious and sympathetic consideration from this committee when the committee goes to conference.

Mr. McCORMACK. The gentleman has already answered the question I anticipated asking him: If the other body does fund the program to the administration level, will he support it?

Mr. YATES. Well, I do not think that any Member of the House likes to pre-condition his going into a conference,

but as I indicated to the gentleman, I anticipate the Senate may put additional funds in, and as conferees, we will give that figure our very serious and sympathetic consideration.

Mr. McCORMACK. I thank the gentleman.

I wonder if the gentleman from Pennsylvania has any sort of response.

Mr. McDADE. Well, the land and water fund is a program we all support. You support it. I support it. Everybody here does. As the gentleman knows, this is a very difficult bill with which to deal. We are now over the budget, far beyond our widest expectations because of the inadequate budget that was sent to us from downtown.

I am not going to offer the gentleman a commitment. The land and water fund is a marvelous vehicle. We all regret the fact that it had to be cut. We will look to see what the Senate does and try to work out agreements.

Of course, we all claim some partnership with the land and water fund. We all think it is a marvelous institution. We support it, and we intend to support it to the best of our abilities.

Mr. McCORMACK. I thank the gentleman.

I would like to comment that I believe that going over the budget as you have was a commendable thing to do. I have dealt with parts of this budget myself and very much agree with the gentleman that the programs were unconscionably underfunded by the Department of Energy, in particular with which the gentleman was dealing. So in this case I think you are serving America well by providing the adequate funding.

Mr. McDADE. I thank my friend. I want to assure him as well that I know that the chairman and I expected this bill to be on the floor tomorrow, so I just want to assure the gentleman that there was no effort on our part that this bill was called up for reasons that are beyond my knowledge, but we thought we were going to be on the floor tomorrow.

I want to assure the gentleman there was no effort to prevent him from having any full discussion about it.

Mr. McCORMACK. I completely understand.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. YATES. Mr. Chairman, I yield 15 additional seconds to the gentleman from Washington.

Mr. McCORMACK. I was going to say that if the bill had been considered on Wednesday, I would have submitted the amendment. As it is, I will trust now to the gentleman's judgment and leadership.

Mr. GINN. Mr. Chairman, I share the Member's deep concern about the committee's recommendation on the land and water conservation fund. This program has, since its inception, been one of the most effective of all Federal programs. The lay public strongly supports it and public officials responsible for general government and park system planning and development hail its social and environmental benefits.

I submit for the RECORD, Mr. Chairman, a table which shows, on a State-by-State basis, the difference between the administration's funding level and that of the Appropriations Committee.

Mr. Chairman, I sincerely hope my colleagues will, in the final analysis, report a bill which more closely resembles the administration's request.

LAND AND WATER CONSERVATION FUND ASSISTANCE TO STATES, ESTIMATED FISCAL YEAR 1980 APPORTIONMENTS

State	Level	Level	Difference
Alabama	\$5,907,571	\$3,240,744	\$2,666,827
Alaska	2,841,988	1,712,354	1,129,634
Arizona	4,777,345	2,674,188	2,103,157
Arkansas	4,198,452	2,392,677	1,805,775
California	26,398,943	13,396,780	13,002,163
Colorado	5,224,978	2,855,791	2,369,187
Connecticut	6,049,593	3,302,836	2,746,757
Delaware	3,122,718	1,851,495	1,271,223
Florida	11,477,293	5,999,073	5,478,220
Georgia	6,975,666	3,775,649	3,200,017
Hawaii	3,467,163	2,022,045	1,445,118
Idaho	3,071,018	1,829,465	1,241,553
Illinois	14,412,081	7,461,872	6,950,209
Indiana	7,727,098	4,145,420	3,581,678
Iowa	4,778,450	2,684,246	2,094,204
Kansas	4,446,773	2,515,608	1,931,165
Kentucky	5,360,917	2,973,054	2,387,863
Louisiana	6,116,366	3,344,388	2,771,978
Maine	3,327,690	1,957,176	1,370,514
Maryland	7,007,814	3,780,464	3,227,350
Massachusetts	9,271,172	4,899,566	4,371,606
Michigan	12,235,043	6,379,939	5,855,104
Minnesota	6,274,003	3,422,649	2,851,354
Mississippi	4,206,190	2,400,052	1,806,138
Missouri	7,074,463	3,822,052	3,252,411
Montana	3,068,448	1,827,402	1,241,046
Nebraska	3,823,123	2,203,709	1,619,414
Nevada	3,168,891	1,873,810	1,295,081
New Hampshire	3,248,993	1,915,785	1,333,208
New Jersey	10,850,325	5,685,008	5,165,317
New Mexico	3,405,265	1,995,691	1,409,574
New York	22,572,906	11,507,838	11,065,068
North Carolina	7,026,635	3,807,072	3,219,563
North Dakota	2,969,589	1,787,856	1,201,733
Ohio	13,843,893	7,181,109	6,662,784
Oklahoma	4,964,609	2,771,992	2,192,617
Oregon	4,656,059	2,616,789	2,039,270
Pennsylvania	15,055,276	7,782,593	7,272,683
Rhode Island	3,606,292	2,090,553	1,515,739
South Carolina	4,919,759	2,751,559	2,168,200
South Dakota	2,985,954	1,786,696	1,199,258
Tennessee	6,477,826	3,524,677	2,953,149
Texas	15,222,471	7,865,932	7,356,539
Utah	3,798,167	2,186,742	1,611,425
Vermont	2,807,335	1,697,308	1,110,027
Virginia	7,295,492	3,930,936	3,364,556
Washington	6,074,830	3,320,704	2,754,126
West Virginia	3,940,823	2,264,065	1,676,758
Wisconsin	6,787,121	3,680,104	3,107,017
Wyoming	2,750,125	1,668,163	1,081,962
District of Columbia	1,309,701	704,376	605,325
Puerto Rico	4,659,282	2,550,848	2,108,434
Virgin Islands	103,109	58,400	44,709
Guam	111,523	63,166	48,357
American Samoa	34,489	19,534	14,955
Contingency	12,000,000	12,000,000	0
Total	359,307,000	200,000,000	159,307,000

Mr. McDADE. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona.

Mr. RUDD. Mr. Chairman, I would like to sincerely commend the distinguished gentleman from Illinois, the chairman of this committee and the ranking member, the gentleman from Pennsylvania, for the genuinely outstanding job that they did in putting this bill together.

I want to note that this bill appropriates a modest \$4 million to start implementation of the Tribally-Controlled Community College Assistance Act of 1978.

In the report accompanying the bill, the Bureau of Indian Affairs is instructed to give priority in grants to academic institutions serving Indians which are already accredited, and to give "special consideration \* \* \* to those institutions with financial difficulties which, without

a grant, would be unable to operate during the upcoming school year."

Since institutions in this "special consideration" category are most in need of prompt action in making those grants by the Bureau of Indian Affairs, I would like to propound a question to the distinguished chairman of the subcommittee (Mr. YATES):

I understand that the Bureau of Indian Affairs has already conducted some preliminary feasibility study work under contract in order to implement the Tribally-Controlled Community College Assistance Act when it was funded by an appropriation.

In fact, the College of Ganado, as one example, was the subject of two separate visitations by the BIA contractors earlier this year.

As you know the fiscal year starts in October, the school year in September.

Owing to the short period of time remaining to consider and approve grants for those financially threatened institutions, eligible for support under the committee's "special consideration" category, is it the intention of the committee that the BIA will satisfy the law by utilizing the preliminary feasibility study work, already conducted, in order to get funds approved for these eligible institutions promptly? This is necessary so that they will know their circumstances and be able to count on support at the beginning of the academic year.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. RUDD. I yield to the gentleman from Illinois.

Mr. YATES. It is my understanding the law requires feasibility studies. It is my understanding that studies that have been partially made, and when completed, should satisfy the requirements of the law.

Mr. RUDD. I thank the chairman.

Mr. McDADE. Mr. Chairman, will the gentleman yield?

Mr. RUDD. I yield to the gentleman from Pennsylvania.

Mr. McDADE. I want to commend my friend for bringing this matter to our attention. I share the views expressed by my friend from Illinois. The gentleman can be assured we will do our very best to work with him.

Mr. RUDD. I thank the gentleman.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Chairman, when I came before the Subcommittee on Interior of the Committee on Appropriations in May, I said to our colleagues that the time has come to pay the piper on the matter of the Boundary Water Canoe Area Act of 1978. The House last year promised the people of northern Minnesota that in exchange for converting the BWCA into total wilderness, the House would provide funding for programs to ease the economic burden caused by imposing virtual total wilderness status on the area.

This House gave final approval to the Boundary Waters Canoe Area Wilderness Act of 1978 in the last hours of the 95th Congress.

I opposed the legislation because I felt it was not in the best interests of the



people I represent in the House. While I supported the termination of logging and mining in the Boundary Waters, I could not support the extensive restrictions that legislation imposed on existing motor use of the area.

The Congress, however, determined that the restrictions were in the national interest. Those restrictions are now law.

In enacting those restrictions, the Congress recognized the impact they would have on the economy and the way of life of the people of the rural area surrounding the Boundary Waters Canoe Area, and included programs to mitigate that impact in Public Law 95-495.

That law specifically recognizes that our economy in northern Minnesota is heavily dependent on timber-harvesting and a recreational/tourism economy which consists of small, locally owned and operated businesses.

Northeastern Minnesota needs programs designed to help individual businesses adjust to the restrictions imposed on the use of the BWCA, to help the small communities and the region adjust to the changes imposed by the law, and to replace the lost timber yield of the Boundary Waters Canoe Area.

Congress made a commitment to the people of my district to ease the adverse economic impact of the conversion to wilderness. Many of my colleagues in the House relied upon that commitment in voting for this legislation during the 95th Congress. They felt the people would be well cared for, economically, under the new law.

To the people I represent, the mitigating programs of economic adjustment are just as integral to the law as the restrictions.

To the private citizen in Minnesota, the difference between authorization and appropriation means little, if anything.

I speak not just of those who opposed restrictions, but for Minnesotans of all opinions on the BWCA issue. Full appropriations have been endorsed by not only the people of the area but by the advocates of total wilderness as well—including the Friends of the Boundary Waters Wilderness.

Our Minnesota congressional delegation stands united behind the appropriation of funds for the programs authorized under Public Law 95-495.

□ 1710

The Appropriations Committee has done a commendable job on a bipartisan basis in providing those promised funds. I want to thank the chairman of the subcommittee, Mr. YATES, for his diligence in putting up with the numerous meetings I have had with him and requests and pleas that I have made to him and to the gentleman from Pennsylvania (Mr. McDADE) the ranking minority member of the subcommittee, and the gentleman from Ohio (Mr. REGULA). They have spent a considerable amount of time helping work out funding for the programs that are so needed to do justice to the people of northeastern Minnesota.

The committee has recommended \$10,891,000 in direct appropriations and \$3,000,000 from the Land and Water Con-

servation funds for the purchase of resorts as provided in section 5 of Public Law 95-495.

In recommending \$13.9 million, the Appropriations Committee added \$3.3 million to the administration fiscal year 1980 budget request. I commend the committee for this addition. As the report to accompany the bill notes, the committee did not feel the administration request was adequate. The report understates the deficiency of the administration budget request.

The entire Minnesota congressional delegation requested and continues to support an appropriation of \$17.4 million. The Forest Service has developed a program for implementing the law which would require that appropriation.

While the Appropriations Committee did not fund our full request, it made additions to the administration budget in the most critical areas and provides full funding for the State of Minnesota's intensive forest management program and for assistance under section 19 to resorters and outfitters impacted by the law.

During the coming fiscal year, the Forest Service should use appropriated but unobligated funds for BWCA programs in addition to the specific appropriation.

The issues of timber and of recreational trails construction are two components of the committee recommendation that raise a question. The committee has provided substantial funding above the rather penurious request made by the administration, but left a gap between what I proposed and what was actually appropriated by the committee for timber haul and access roads to actually go into the areas of the Superior National Forest outside of the Boundary Waters Canoe Area and harvest the timber that is available. The chairman has advised me funds could be made available if the Superior National Forest were to request those funds from the U.S. Forest Service national appropriation beyond the special BWCA funds, and I refer to the additional \$88 million increase the committee has provided for the Forest Service. I wonder if the chairman could amplify on that.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the chairman of the subcommittee.

Mr. YATES. Mr. Chairman, I would certainly be of the opinion that the funds we have made available to the Forest Service for all programs that make up the Forest Service would be available to the Superior National Forest as well, and that the funds that we have itemized specifically for carrying out the agreement for the Boundary Water Canoe Area of the Forest Service would certainly not limit the application of funding to that area.

Mr. OBERSTAR. I want to thank the chairman for that elaboration. The Forest Service then is not limited to those specifically mentioned funds, but can draw upon the additional increase provided by the committee? That will be so important to northeastern Minnesota. I must say that with these funds and those approved by the House in the Agriculture

Appropriations bill for direct loans to small businesses, we are beginning to meet the commitment made to the people of Minnesota.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. YATES. I yield the gentleman 1 additional minute.

Mr. OBERSTAR. I also want to thank the gentleman for his consideration of the peat gasification program, which means so much to northeastern Minnesota and the whole country. Minnesota has about half of the Nation's reserves of peat. The peat gasification work that will continue under the \$6.7 million recommended by this committee will be enormously significant to the Nation's energy program.

Mr. McDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CLAUSEN).

Mr. CLAUSEN. Mr. Chairman, the Interior appropriations bill for fiscal year 1980 is a comprehensive and meaningful bill deserving of our fullest support.

I would like to applaud my colleagues on the House Appropriations Committee for their willingness to address a number of key issues in a realistic and responsible fashion.

I am particularly grateful to the distinguished chairman of the Interior Subcommittee, the gentleman from Illinois (Mr. YATES), for the opportunity he afforded me to have direct input in the development of this legislation from its earliest stages. The open fashion in which his subcommittee considered the bill permitted me the opportunity to address a number of key issues affecting the management of our public lands, the conservation of our natural resources, our efforts to achieve energy independence and the educational and health needs of our Native Americans.

In submitting its budget request earlier this year, the administration chose a different set of priorities. The changes the committee has made to reestablish priorities which we in the Congress believe represent a sound investment in our natural resources. Dollars spent wisely and cautiously today to develop renewable resources will greatly increase the strength and wealth of our Nation.

The bill provides funding for a number of programs of particular significance to the north coast of California. Of particular note is the recognition given to the reforestation needs on our national forests. The bill provides the funding necessary to implement a more effective reforestation effort. For many years, we have sought to increase the dollars available for this work and I am pleased to be a part of this effort.

The budget recommended for the Forest Service will give them the tools they need to do the kind of job we expect of them and will allow us to protect the valuable investment we hold in our forests.

At the same time, the bill provides funding which will permit the U.S. Forest Service to increase timber sales to 12.2 billion board feet in fiscal year 1980 in line with the President's recommendations made on June 11.

I support the administration's efforts to increase timber supplies as a means of holding down housing costs and reducing inflation. The increase in the allowable cut on our public lands will be balanced by our increased reforestation program, sound wildlife management, soil protection and water quality enhancement.

Another item of great importance to northern California is the payments-in-lieu-of-taxes program administered by the Department of the Interior. As originally setup by those of us on the authorizing committee, the payments go to our counties to help offset the loss in revenue associated with public ownership of land. I applaud the willingness of my colleagues on the Appropriations Committee to provide adequate funding for the program and I support their interest in insuring the most accurate and up-to-date information on which the Department bases its payments each year.

Another issue of concern to all rural areas such as our north coast is the animal damage control program administered by the U.S. Fish and Wildlife Service. The bill maintains the 1979 funding level for the on-the-ground portion of the program. This ongoing program has a direct impact on the ability of our ranchers and farmers to minimize losses to predators and can often mean the difference between staying in business and going under.

In addition, the budget for the Fish and Wildlife Service contains funding for a propagation program for the endangered California condor. Many of my constituents have worked hard to protect this species and I commend the committee for moving ahead in this area.

Funds provided in the bill will also finance the construction and rehabilitation of fish hatcheries and wildlife refuges giving us the means of preservnig and enhancing our anadromous fish resources.

We are in the process of initiating a major effort in northern California for the revitalization of anadromous fish habitat through watershed protection and stream improvements. The program funded under this legislation coincides with our ongoing efforts and increases our ability to meet our goals.

Our energy needs are also addressed in this legislation. The committee has rightfully stated our need to face up to the threats to our security imposed on us by the OPEC oil cartel. Critical research and development goals and major conservation initiatives are set forth in the bill.

As a major energy consumer, the Federal Government is being called upon to foster greater conservation in its own facilities. The Department of Energy is also directed to undertake an aggressive fuel savings program by developing wood energy as a safe, economical, and environmentally acceptable alternative energy source.

The action being taken by the House today also closely coincides with previous action taken to develop a synthetic fuels program. A meaningful energy

package would be incomplete without addressing this energy source.

The committee has given careful consideration to all the facts and details made available to them by more than 40 days of hearings and countless witnesses. I believe the end product of their work is a balanced and responsive bill. I urge my colleagues to support its passage.

Mr. McDADE. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland (Mr. BAUMAN).

Mr. BAUMAN. Mr. Chairman, I want to express my appreciation to the members of the Subcommittee on Interior Appropriations for their favorable consideration of my request to include funding the acquisition and reconstruction of the Thomas Stone National Historic Site which is located in my district in Charles County, Md. Last year my amendment to the omnibus national parks bill authorized the Park Service to proceed to acquire this historic building, but no funds were provided in the President's budget this year to carry out this project.

Through the wisdom of the subcommittee and with the guidance of the gentleman from Illinois (Mr. YATES) and the gentleman from Pennsylvania (Mr. McDADE), the full funding for this worthwhile project has been included in the bill. I know that the citizens of Maryland, particularly those in Charles County, the members of the Maryland Historical Trust, and those interested in historic preservation will applaud this action as I do.

Mr. Chairman, I would again remind the House that located only a scant 25 miles from Washington, D.C., the Thomas Stone site will be within easy access to the many hundreds of thousands of citizens who would enjoy seeing an authentic working colonial plantation which has as its major feature a home unique in its architecture. On the grounds are buried Thomas Stone, one of Maryland's four signers of the Declaration of Independence and a leader in our colonial history, and many of his family.

I am informed by officials of the National Park Service that with this funding they will be ready to proceed to immediate acquisition and eventual restoration and I again thank the committee for making this progress possible.

Mr. YATES. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. DUNCAN).

Mr. DUNCAN of Oregon. Mr. Chairman, this is the bill that Mr. Kirwan, that great old gentleman from Ohio, the former chairman of this subcommittee, used to call the bill for all America.

It goes without saying that I support this bill. I want only a few moments to tell the House what I think of the chairman of this committee and his work. Most of us come to the House representing a fairly narrow congressional district, and we bring with us parochial views which reflect that constituency.

Our chairman, Mr. YATES, may have had those characteristics at one time; I do not know. But I do know that during the period of time that I have served

with him on this committee his attitudes and his actions have been characterized by the converse of parochialism. His views are most cosmopolitan; whether the subject matter is art or trees, the environment or the economy, energy or antiquities, the chairman displays the empathy and the understanding of the Nation's problems that characterized his understanding of international problems during his service at the United Nations. He has been a great chairman, and he is a great Member of this body, and he has produced another bill that we can truly call a bill for all America.

Mr. YATES. Would the gentleman like another 10 minutes to continue?

Mr. Chairman, I yield 1 minute to the gentleman from Kansas (Mr. GLICKMAN).

Mr. GLICKMAN. Mr. Chairman, it is difficult to follow up on what the gentleman from Oregon has just said.

I would ask the gentleman from Illinois (Mr. YATES) if he might clarify something in the committee report on page 100. It indicates there is approximately \$40,000 appropriated for the Franklin Delano Roosevelt Memorial Commission. As a former leader of my party, I naturally want to commemorate him. But a couple of my constituents notified me that in front of the Archives there is a memorial and it quotes the former President as saying "If any memorial is erected to me, I know exactly what I want it to be. I should like it to consist of a block about the size of this (putting his hand on his desk) and placed in the center of that green plot in front of the Archives Building. I do not care what it is made of, whether limestone or granite, or whatnot, but I want it plain without any ornamentation but the simple carving 'In memory of —.'"

Mr. Chairman, on April 12, 1965, 20 years after the death of the former President, that memorial was placed in front of the Archives. So I would ask the chairman what is the purpose of the Memorial Commission and how long has it been appropriated, and what does the chairman expect to come out of it?

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. GLICKMAN. I yield to the chairman.

Mr. YATES. The Memorial Commission is in existence pursuant to legislation passed by the Congress.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. YATES. Mr. Chairman, I yield myself 1 additional minute.

The Commission has been laboring year after year to produce a monument that will satisfy not only the memory of the great President, but also the tastes and the esthetics of the various groups and bodies that have to approve that memorial. I would say to the gentleman that earlier this year the Franklin D. Roosevelt Memorial Commission proposed a plan that would have cost in the neighborhood of \$46 million to \$50 million, but it was made clear to those who proposed the plan that while it may have been esthetically desirable it was not economically attractive and so funds to construct that design were rejected.



May I say to the gentleman the Commission is still in operation because the legislation is still in operation, still in force and effect and the Commission is working. The funds we have appropriated pay only the minimum expenses for keeping the Commission in existence.

□ 1720

Mr. Chairman, I yield 1 minute to the gentleman from South Dakota (Mr. DASCHLE).

Mr. DASCHLE. Mr. Chairman, I want to associate myself with the comments made by the gentleman from Washington (Mr. McCORMACK) earlier in the colloquy this afternoon. In addition, I feel that the gentleman from Oregon certainly hit the nail on the head in addressing, I think with some eloquence, the tremendous accomplishments of the chairman of the committee in this bill.

Mr. Chairman, I would like to bring to the attention of my colleagues the recommendation of the Interior Committee regarding the land and water conservation fund.

I feel that the committee's recommendation of \$200 million for the State/local portion of this fund is terribly inadequate. This funding is essential for State and local park and recreation programs for the acquisition and development of park projects. I know of several instances where these funds enabled a park project to be built where it otherwise would not have been possible.

The committee approved \$447,059,000 for the land and water conservation fund, \$162,941,000 below the administration's \$610 million request. Under this proposal \$200 million would be available for grants to State and local governments, and \$6.693 million would go for HCRS administrative costs. The committee's action represents a reduction of about \$150 million in the administration's recommended funding for State and local grants. If this reduction is sustained in further appropriation actions each State share would be reduced by about 45 percent below the current fiscal year. South Dakota will be reduced from \$2.99 million to \$1.79 million.

In this period of energy shortages it has become essential that recreational facilities are available to people within their community. The reduction in funding for this program would seriously curtail the development of local facilities. Therefore, I ask the conferees to strongly consider the restoration of \$159 million for this program.

Mr. YATES. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. OTTINGER).

Mr. OTTINGER. Mr. Chairman, I take this time to congratulate my colleague from Illinois (Mr. YATES) and the gentleman from Pennsylvania (Mr. McDADE) for the excellent job that they have done in the field of energy, particularly as it concerns my subcommittee. I had sent out a "Dear Colleague" letter, together with the ranking minority member on the subcommittee, the gentleman from New York (Mr. FISH), the gentleman from Iowa (Mr. HARKIN), and the gentleman from California (Mr. BROWN) expressing some concerns about where more funds could be used very advantageously to advance energy efficiency,

particularly for more efficient automobile engines, industrial efficiency, cogeneration, conversion of waste to energy, and appropriate technology.

I am pleased to report that the gentleman from Illinois and the gentleman from Pennsylvania agreed to go a substantial way in meeting those concerns and will offer an amendment to expand the conservation appropriation in this area. Unfortunately we were not able to come to agreement on appropriate technology, and there will be an amendment offered which shows great promise.

This bill recognizes the importance of balancing energy production and energy conservation. Though I am concerned about the impacts of an excessive synthetic fuels program, it is definitely time to move ahead in this area.

The chairman and members of the committee have done a generally fine job with respect to this bill, and I am very pleased to give them my wholehearted support.

The July 23, 1979, "Dear Colleague" letter follows:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., July 23, 1979.  
Subject: Interior Appropriations Floor Amendment.

DEAR COLLEAGUE: There is a source of energy that produces no waste, nothing in the way of petro dollars, reduces pollution and directly benefits the user be they individuals, companies or communities. It is also much cheaper than imported oil or domestic synthetic fuels. Unhappily this energy source has not received the attention it deserves. The source might be called improved energy efficiency, but more commonly it is known as conservation technology.

We are deeply concerned that in addition to the Department of Energy the Appropriations Committee has not recognized the priority this program merits. The reported conservation appropriations are far from that considered necessary to meet the President's short term energy goals!

Because of this situation we plan to support a floor amendment which will increase the interior and related agencies appropriation by \$70.2 million.

The increase is shown by specific project on the reverse side of this letter.

Should you be unfamiliar with the merits of these increases we have summarized them below:

Transportation energy research, plus \$20.9 million.

More efficient automobile engines for improved mileage and fuel flexibility including alcohol.

Industrial efficiency and cogeneration, plus \$14.5 million.

By the year 2000 the expected payoff of these additional projects will be a 1.6% reduction in energy demand equivalent to \$3.2 billion a year.

Conversion of waste to energy, plus \$23.3 million.

If the energy in waste were recovered it could provide an additional two quadrillion BTU's of energy by 1985 which is equivalent to 13.4 billion automobile miles.

Appropriate technology, plus \$11.5 million.

The one federal energy program which supports energy innovations proposed by individuals. Two-thirds of the evaluated good ideas will be dropped because of inadequate funding.

We thank you for your interest and would appreciate your support.

TOM HARKIN, M.C.

GEORGE E. BROWN, Jr., M.C.

RICHARD L. OTTINGER, M.C.

HAMILTON FISH, Jr., M.C.

Mr. YATES. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon (Mr. WEAVER).

Mr. WEAVER. Mr. Chairman, I want to associate myself with the remarks of my colleague from Oregon, BOB DUNCAN, as to the great leadership that Chairman SEN YATES has given this committee. I also want to say that the ranking minority member, the gentleman from Pennsylvania (Mr. McDADE) has steadfastly given leadership in this committee in the path that is a very right and good one.

I want to thank both of these gentlemen and all members of the committee for what they have done for the forestry community, for the Forest Service, and for the funding of this great national agency which manages our great national forests.

I also would like to inform the Members of the House that I will be offering two amendments, however, to the bill. One is to strike \$1.5 billion for synfuels, and the other amendment is to strike \$18 million for synfuels and add it to reforestation and slash energy from our forests.

Mr. FISH. Mr. Chairman, I rise to support an amendment to H.R. 4930 which will allow an extremely promising energy option to be funded at an appropriate level. This amendment will provide \$5 million for the loan guarantee program for constructing municipal waste-to-energy demonstration facilities. The municipal waste-to-energy program offers the potential for making fuel out of waste materials which otherwise would be discarded, and at the same time contributing to meeting our future energy needs. Our Nation can obtain 2 quads of energy from this resource by 1985, enough to provide an additional 1,000,000 barrels of oil per day.

Driven by the increasing demand for disposal sites to dump the waste generated by our cities, as well as by the need for cheap, domestic sources of energy, our Nation has become increasingly aware of the promise of "trash power." Waste materials from cities represent a large resource of energy, and I believe that we would be remiss if we did not expedite the building of additional facilities that can put this resource to use.

I was deeply disappointed to see that the Administrations Committee has not recommended any funding for the loan guarantee program. Consequently, I am afraid that the committee has overlooked a strong tool that can help us tap the promising energy contribution which can be made by the municipal waste-to-energy program. Substantial progress has been made in the loan guarantee program, and the regulations for this program have now been finalized and released. As a result, I think the program has reached the stage where funds should be provided for actual loan guarantees for the construction of demonstration facilities.

Many municipalities cannot afford to construct municipal waste-to-energy plants by themselves. We must find ways to help these municipalities take advantage now of the energy potential of urban wastes. Several municipalities

have already expressed much interest in the municipal waste-to-energy program, and are anxiously awaiting the time when they can apply for Federal loan guarantees. In fact, as many as 30 to 40 communities would probably apply for loan guarantees if funding were available now. On numerous occasions my staff has been contacted by various executives as to when loan guarantee budget authority would become available. Without this authority, I am afraid that municipalities will not press forward at the present time with the construction of these facilities.

We can produce substantial amounts of energy from this resource in the immediate future if we permit Federal loan guarantees for the construction of facilities to convert municipal waste-to-energy. In its authorization bill for fiscal year 1980, the Committee on Science and Technology has recognized this fact, and has authorized over \$10 million for the loan guarantee program. We need money in the Federal Treasury account now in order to underwrite the \$300 million in budget authority provided for the program. Otherwise, no bank will accept at the present time any Federal loan guarantee as valid. Our energy shortage is a national problem and the solution should not be an expense solely on any one municipality.

Mr. Chairman, the facts about this program indicate that this is an investment that we should not reject. For this reason, I urge my colleagues to support this amendment.

● Mr. CORRADA. Mr. Chairman, while I support this legislation, I am greatly disturbed by the cut of \$160 million from the land and water conservation fund. This cut represents a 45-percent reduction in funds for this program; and yet there is not one objection that has been raised as to the value of this program for our cities and States. All States will be affected by this cut. The reason given for the cut was budget constraints.

I am sure we all agree that the budget does need some trimming, but not at the expense of programs such as those under the land and water conservation fund.

I hope that this action today does not set a precedent for further cuts in this important program. Should the House again have the opportunities—through a supplemental appropriation or in the fiscal year 1981 budget to consider this program, that we calmly and collectively explore the merits of the program. I trust that this study will lead to a restoration of full funding for this program.●

● Mr. CONTE. Mr. Chairman, I rise in support of H.R. 4930, the Interior and related agencies appropriations bill for fiscal year 1980. This was my first time sitting as a member of this subcommittee and it was a great pleasure for me to work with the very distinguished chairman (Mr. YATES) and ranking minority member (Mr. McDADE) and indeed with all of the members of the subcommittee. This is a very able and dedicated subcommittee.

This particular appropriations bill covers a broad range of Federal programs which are of interest to every American.

Included in this bill are funds for the preservation and restoration of millions of acres of forest and rangeland, funds for national parks and local recreation projects; for wildlife preservation; for assistance to Indian tribes and to the territories; funds for the continuation and extension of our cultural programs and funds for a myriad of fossil fuel development and energy conservation programs.

I think I can say without any exaggeration that this bill provides funds to continue and initiate programs that are of immediate and vital concern to the economic growth and stability of this country.

Dramatic increases in funding are required for a number of energy programs so that we may develop our domestic energy capacity. We are going to move ahead with a synthetic fuels industry in this country. It is long overdue. This bill provides \$1.5 billion for synthetic fuels development but I would encourage all of my colleagues to take the time to read the additional views included in the report. We have the technology to produce synthetic fuels. We know from just our most recent experiences that our dependence on OPEC oil is such that even a minor disruption can cause chaos in the country. We are going to develop a synthetic fuels industry in order to control our own destiny. We must recognize that the issue we face is independence from OPEC. Yes; it is going to cost a lot of money but what price should be considered too great to insure the security and continued economic prosperity of this Nation?

And if we look askance at cost estimates of \$25 to \$40 a barrel for different types of synthetic fuels, we would do well to note the recent Joint Economic Committee report which indicated that when we consider the indirect costs of paying for imported OPEC oil, the cost of that OPEC oil is actually \$90 a barrel.

I would also commend to my colleagues' attention the committee's action in including in this bill \$141.5 million not requested by the administration for continued exploration activities on the national petroleum reserve in Alaska. The reserve is one of the few remaining unexplored onshore areas in the United States with potential for a significant discovery of oil. Even if the administration is serious about turning the reserve over to private drilling and exploration, I do not think it is wise for us to discontinue all exploration activities for the 2 to 6 years it might take to gear up for private industry exploration.

Several weeks ago this House rejected by an overwhelming margin an administration deferral request pertaining to exploration of the reserve in fiscal year 1979. I trust the sentiment of the House has not changed.

This bill also contains increased funding for reforestation. I strongly support the committee's efforts to eliminate the reforestation backlog and believe that this will become of increasing importance to the Nation.

Finally, I would like to say that even as we attempt to address our massive energy needs while protecting as best we can our natural resources, we remain

aware that inflation is a serious problem that we cannot neglect. Holding the line on Government spending is critical to our efforts to contain inflation. We have gone over the budget in this bill in several areas which we felt were of absolute necessity to the well-being of this country. We did make some program cuts, most notably in the State grant portion of the land and water conservation fund. These were not easy decisions but they were necessary.

We have tried through this bill to provide the funds necessary to build our energy capacity while keeping in mind the need for budgetary restraint to control inflation. I ask my colleagues to keep this in mind when amendments are offered later to increase funding for certain programs.

Mr. Chairman, this is a well balanced bill and I am pleased to support it.●

Mr. McDADE. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. YATES. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The Clerk will read. The Clerk proceeded to read title I.

Mr. YATES (during the reading). Mr. Chairman, I ask unanimous consent that the bill be read by title, and that title I be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AMENDMENT OFFERED BY MR. DICKS

Mr. DICKS. Mr. Chairman, I offer an amendment.

(The portion of the bill to which the amendment relates is as follows:)

EXPLORATION OF NATIONAL PETROLEUM RESERVE IN ALASKA

For necessary expenses in carrying out the provisions of section 104 of Public Law 94-258, \$145,927,000, to remain available until expended.

The Clerk read as follows:

Amendment offered by Mr. Dicks: At page 15, line 35, strike line 15, beginning with the word "EXPLORATION"; all of line 16; all of line 17; all of line 18; and all of line 19, ending with the word "expended".

(Mr. DICKS asked and was given permission to revise and extend his remarks.)

Mr. DICKS. Mr. Chairman, I rise with an amendment today to strike \$141.5 million in this budget which is earmarked for the national petroleum reserve in Alaska for drilling five additional wells. Now, in offering this amendment I must say that I took some time to investigate this program. Up to this point, in the national petroleum reserve of Alaska we are already drilling 19 wells. We have more drilling information about this area than we have had for almost any other area that we have leased and developed in the history of this country.

What is in this budget for next year is money for five additional wells, and also money to drill four in the following year. What is that going to cost the American taxpayers? It is going to cost the American taxpayers potentially another \$190



million plus the \$141.5 million I previously mentioned. Then, in the following year, to terminate the drilling program we would have to spend an additional \$50 million, for a total of somewhere around \$381 million of taxpayers' money.

Now, I am just as concerned as anyone is about trying to do something about the energy problems of this country. I think the best way to do it is to let the private sector take over this project as soon as it can. I am told by the Department of the Interior that they are going to come to the Congress asking that we approve private exploration in the national petroleum reserve of Alaska, and they are going to forward legislation to that effect.

In my judgment, that is the way to proceed. We can do that; let the private sector invest the money necessary for exploration. It will not just be the kind of exploration we are doing here, which is very minimal. It will be complete commercial exploration which I think makes a lot more sense, and can save us over this next 3 years the amount I have mentioned, some \$381 million.

I would also like to mention that the drilling we are doing is not likely to determine whether this is really a commercial quantity of oil available. This is merely just to do exploratory drilling in various areas of the Reserve. The resource assessment based on the 19 wells to be drilled through 1979, plus the 11,000 miles of geophysical data which has already been gathered, I think is adequate to do the job. I do not think we need to invest this additional amount of public money.

In summary, Mr. Chairman, I would just like to say that I have been deeply concerned about several programs in this budget that have not been funded sufficiently. One is the land and water conservation fund, and the other is the Youth Conservation Corps. I just ask this question to all the members of the committee: Are our priorities correct? Should we not at this time be giving full funding to the Youth Conservation Corps instead of funding it at less than half its authorized rate; and should we not be doing more for the land and water conservation fund, which is \$159 million short of its authorized level? These are programs that affect all Americans in this country, and provide jobs for our young people, and make it possible for people to go out into the parks. Instead of that, we are going to be spending \$141 million. Five million dollars of the taxpayers' money to drill five wells, five wells that are not even of a commercial quality.

□ 1730

So I say it is time to stop this program. It is time to let the private sector develop these oil wells, and it is time to take that additional money and use it for the Youth Conservation Corps and the land and water conservation fund.

Mr. VOLKMER. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Missouri.

Mr. VOLKMER. I thank the gentleman for yielding.

How long have we been in this program of trying to develop oil in Alaska and drilling wells? Does the gentleman know?

Mr. DICKS. I have got the figures here in the back of my work. As I recall, we have been drilling up there for the last 4 to 5 years, since 1974.

Mr. VOLKMER. It has been several years?

Mr. DICKS. Yes. We will have 19 wells by the end of this fiscal year that will have been drilled, which will give us a sizable amount of information.

Mr. VOLKMER. Are these for oil or gas, or neither?

Mr. DICKS. They are taking samples on both accounts. We have had five core samples that I am told have very good commercial prospects. This is not a commercial-type well; it is really core drilling.

The CHAIRMAN. The time of the gentleman has expired.

(At the request of Mr. VOLKMER, and by unanimous consent, Mr. DICKS was allowed to proceed for 2 additional minutes.)

Mr. DICKS. As I was saying, they are doing core samples, and, as I understand it, five of these core samples are very, very promising. The Department of the Interior says that they have got all the information they need. We do not need to spend another \$141.5 million of the taxpayers' money to drill five more unnecessary wells.

Mr. VOLKMER. Because they have already done enough drilling to determine the necessary information.

Mr. DICKS. That is right. And next year we will do another four at approximately \$160 million to \$190 million, plus \$50 million in termination costs. That is \$381 million of the taxpayers' money that I think can be better spent on parks and on the Youth Conservation Corps and other priority needs in this bill. That is why I, frankly, feel we are making a very serious mistake in continuing this program. The Department of the Interior is operating the program, and they do not even want the money. So I do not see why we should continue it.

Mr. Chairman, I yield back the remainder of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Washington's amendment, although it sounds admirable to the taxpayer, is definitely out of tune and time with the situation we are faced with in these great United States today, and that is the shortage of oil.

Less than 3 months ago the gentleman voted on this floor to lock up approximately 65 percent of the known oil resources in Alaska under the guise of protecting the environment, and not let it be available to the people of the Lower 48 as we are going to need it. Now we have the gentleman from Washington (Mr. Dicks) trying to delete the money in this budget supposedly to save the taxpayers' dollars. But let us look at the facts. The gentleman is talking about saving possibly \$350 million, supposedly saving that much money if it is cut from the budget. But in reality, with the attitude of the Secretary of the Interior, they have been fighting this all the way along the line, trying to stop further

exploratory work in these 23.5 million acres of land.

The fact is the good chairman had to come down with the resolution requiring them to spend the money in this year's budget, and they have stood before our committee and said—the Committee on the Interior—"we are going to come down with a plan." That plan is overdue today, supposedly for private development, and which I support. I support it wholeheartedly, but in fact they are not going to come down with that plan. If they do, it is going to be 5 or 6 years from now, and I say the committee, my good chairman, came down with a sound investment of American dollars to make sure after this plan is brought into fruition that we continue to gain the knowledge that we need when they do open it up for competitive bidding, and I say that the taxpayers will be reimbursed tenfold over what they will have if they have to bid in the dark.

A case in point is the field in Alaska, Prudhoe Bay, raised \$1 billion because there had been some exploratory work done in the Prudhoe Bay area. This, Mr. Chairman, is why that went so high. I have information on the wells that have been drilled. Contrary to what the Department of the Interior is saying, the core samples are very promising. The company doing the drilling, Husky Oil, has told me privately off the record that if they had an opportunity right now, they would bid.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I will gladly yield for a short period of time.

Mr. DICKS. I thank the gentleman for yielding, and I will get him additional time if he needs it.

If the gentleman is correct, then why should we continue to invest taxpayer money in drilling another five wells? If the samples are good, let us go ahead. The Department of the Interior in a letter to me states that they can have a program underway by the end of 1981. They want to get moving. They say right here:

How soon private exploration could begin would depend largely on how soon Congress acts on our recommendation. It is our intention to move ahead rapidly with a private program as soon as the necessary authorizing legislation is enacted.

Mr. YOUNG of Alaska. Let me reclaim my time to answer the gentleman's question. I can tell the gentleman for every five wells that are drilled, we will return our money tenfold. I do not trust this administration and their endeavors to produce oil for this great Nation. They, in fact, came to our committee, and they said they would have the report that was due to us, and they have not done so. We are dealing with an area, I think, if I am not mistaken, larger than 17 of our States. They say they have drilled 19 wells. The Department of Energy says there is no oil and gas there.

Let us go ahead with this program, use the company in place now, and gain that information. It is strange to me that we are going to try to save taxpayers' dollars for this, when we are sending abroad \$60 billion for foreign oil. And we have

this competitive bidding. I wonder if the Department of the Interior will ever get off its duff. They have done nothing in 2½ years to produce oil, and this is another example of the mentality of the Secretary of the Interior, Cecil Andrus, and those around him who say that we do not have to have any oil from the Arctic Slope region. He said that before our committee, that the Arctic Slope is the last place we will ever drill. The same mentality is saying, really, this is another wilderness area we ought to lock up.

In fact, it is a reserve. It was set aside as a reserve, as the gentleman from Washington (Mr. Dicks) knows. The junior Senator, Mr. MELCHER, is the one who originally raised the money for this program. It is a program, I think, that has strong merit, and I urge the Members to defeat this amendment and get oil to the American people where it belongs.

The CHAIRMAN. The time of the gentleman has expired.

(At the request of Mr. Dicks, and by unanimous consent, Mr. YOUNG of Alaska was allowed to proceed for 2 additional minutes.)

Mr. DICKS. If the gentleman will yield, I would like to point out that we have already spent \$600 million of the taxpayers' money, and the gentleman, I think, knowing he is a strong believer in the private enterprise system, would like to see private development on the National Petroleum Reserve in Alaska. If the gentleman is correct and the core samples are good, then why do we not go ahead and spend this money? I am told that as long as the Federal Government is drilling there that we will not get a private sector program underway. The sooner we terminate the public sector activity, the faster we will get private exploration development which will do some good.

Mr. YOUNG of Alaska. Mr. Chairman, this administration wants no development of oil on those 23.5 million acres of land. The only way we are going to have it is if exploratory work goes forward, if the pressures become great enough upon this Congress, and we act, because this administration is not going to act.

Mr. DICKS. If the gentleman will yield further, why, then, does the Assistant Secretary state this?

Mr. YOUNG of Alaska. Who signed the letter?

Mr. DICKS. Assistant Secretary for Policy, Budget and Administration, Larry E. Meierotto. He says they want to go ahead with a private program.

Mr. YOUNG of Alaska. Nothing precludes them from doing that. Where is the program they had in advance to bring it before us? We have not got it here. Or are they going to wait until we freeze?

Mr. DICKS. I say let the private sector develop it and save the taxpayers' money.

Mr. YOUNG of Alaska. I agree with the gentleman, but let us go forward with the program at this time.

Mr. BURGNER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, the testimony before the committee was to the effect that if we terminate this exploration program, No. 1, there will be very large termination costs, upward of \$100 million. No. 2, there would be a delay of 5 to 6 years to start it up again. No. 3, the field is not proven and is not ready for private lease.

I cannot understand this administration. I respect the fact that the gentleman is attempting to carry out the administration's position, but just by way of reference on another matter, we have the most massive invasion of illegal aliens the Nation has ever seen, and they want to cut the border patrol. We have a crisis in petroleum, a potential crisis should there be a cutoff of imports, and they want to terminate exploratory drilling or delay it for 5 to 6 years at a very large termination cost.

Before they proved Prudhoe Bay, I am told that there were many dry holes drilled and that the advance exploration and proving of the field is absolutely essential before we can go forward with private leasing. I think it would be a serious mistake, and I certainly oppose the amendment.

□ 1740

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. BURGNER. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I would like to say first off that the gentleman from California has been an outstanding member of our committee. I just want to make this point. Under the Naval Petroleum Reserve Production Act of 1976, Public Law 94-258, the Department of the Interior is directed to continue the ongoing Navy exploration program and then to submit a plan to the Congress about what it is going to do. They have stated here they are going to submit a plan that calls for private development.

Now, I know my friend from California is a strong supporter of the free enterprise system. I would be surprised if he thinks the Government can actually do this job better than the private sector. I think if we want to solve the energy problem of this country let us get busy, let the private sector come in and not let this thing drag on for 2 or 3 more years at a cost of \$381 million to the taxpayers.

Mr. BURGNER. Mr. Chairman, if I could reclaim my time, it is being done privately. It is under private contract right now. The Federal Government is not drilling for oil; it is under contract to private enterprise.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. BURGNER. I yield to the gentleman from Illinois.

Mr. YATES. Is not the important thing to find out whether there is oil there? We have a private enterprise company doing the drilling and it is going forward. The important thing is for the American people to know whether there is oil there because if there is, and we may find that there is, we are well ahead of the game in trying to cut down our dependence on foreign imports.

Mr. BURGNER. Mr. Chairman, I

thank the gentleman for his contribution and I yield back the balance of my time.

Mr. McDADE. Mr. Chairman, I move to strike the requisite number of words.

I think my colleagues have pretty well covered the situation. If I have ever seen the wrong amendment at the wrong time in the Nation's history this is it. Here we sit in the middle of the greatest energy problem we have ever faced, an energy problem that cuts across every single phase of our human life whether it is inflation, the production of food, transportation, the cost of housing, or foreign policy, not matter what it is, this energy crisis we face today cuts across it.

Yet, my very able friend sees fit to come and offer an amendment. Surely, he is being loyal to the administration but the administration is wrong and this House with only 30 against disapproved by affirmative action the efforts by the administration to stop drilling on this, the most promising petroleum province left in the United States. That is not my testimony, by the way; that is the testimony of this administration's head of the U.S. Geological Survey which is in charge of the geological development of this property. Their testimony is that under the worst case we know exactly what kind of a province we have when we finally can get to private leasing and private bidding and get the private contractor demobilized.

The best case is, you could have a strike of Prudhoe Bay magnitude in our own country. The estimated reserves—again the testimony is here from the U.S. Geological Survey—10 billion barrels of petroleum owned by the people of the United States on our shores, and the gentleman seeks to stop that program. It is absolutely the wrong amendment at the wrong time.

My friend from Illinois (Mr. YATES) said it eloquently. Think of this. If you take this contractor out you are going to be 6 years down the road before you are able to get somebody back in there to resume drilling on this province.

Mr. McKAY. Mr. Chairman, will the gentleman yield?

Mr. McDADE. I yield to the gentleman from Utah.

Mr. McKAY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, we ought to remind ourselves that it was not long ago we took the military reserves in Elk Hills and began to pump them for a public purpose, for the general public. We set aside this piece of territory up there as a potential for our military reserve, the naval reserve. Now we need to get into it. The purpose was military. Our military have been cutting back as much as 20 percent.

We need to cut back; we need more conservation in buildings and housing but we are also cutting back on training of our troops. We are going into simulators. We cannot be ready to go to war in simulators. We have got to be ready with the real thing. We have to have those reserves and we have to have them proven and the Government has to prove them up.

Now, let me give you a few figures. There is 37,000 square miles up there we



are dealing with. That is roughly the size of the State of Indiana. It took 307 dry holes to discover the overthrust belt out in the Western part of these United States and we have only drilled eight or nine? The gentleman himself admits that it will be 2 years before they will drill another hole if they stop it today. We cannot stand 2 years' wait in this country. We have to move now. We are being pressed by countries who are providing oil for us, threatening us with our foreign policy and here we stand saying we are going to cut it off and not drill those holes? It is ridiculous.

Mr. JEFFORDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to make an inquiry. I am somewhat confused. I know we have just decontrolled oil. My understanding was, that was to make capital available to private companies to do drilling. Now, as I understand the gentleman's amendment, it is to ask that the private companies do what we are supposed to have them do with respect to decontrol and yet I see opposition to it based upon the fact we ought to spend our own tax money in order to do it.

I wonder if the gentleman from Washington would explain to me whether there should be substantial capital available to private companies in order to do this drilling.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. JEFFORDS. I yield to the gentleman from Washington.

Mr. DICKS. The gentleman is absolutely correct. The administration, the Carter administration, has said, "We have already spent \$600 million drilling 19 wells."

Now, the committee has recommended an appropriation for five more wells next year at \$141.5 million.

I can understand why Husky Oil wants to do the drilling. Would you not, at that kind of a rate per well? It is outrageous. Deregulation is giving the oil companies billions; let them do their own exploration.

Mr. McDADE. Mr. Chairman, will my friend yield?

Mr. DICKS. I am not going to yield to the gentleman at this time.

The gentleman from Alaska already said that Husky Oil has said that they have made very significant finds already, quality finds, so let us stop having the Federal Government pay taxpayer money to do this. Let us turn it over to the private sector. The administration has testified and given us a letter that says within a 1½-year timeframe, they can have private exploration underway.

Now, what we are talking about here are wells that are not even commercial quality wells. These are just wells to try and find the likelihood of discoveries.

The gentleman is absolutely correct. The oil companies have the money to do this. The administration is correct. We have spent all the money we need. Let us turn it over to the private sector; let us get this area developed. That is the recommendation they are going to make under the law.

Mr. JEFFORDS. Mr. Chairman, am I

not also correct in understanding there are sufficient wells already operating to keep the Alaska pipeline full for a substantial length of time?

Mr. YOUNG of Alaska. Mr. Chairman, would the gentleman yield?

Mr. JEFFORDS. It is my understanding we cannot even get full production out of Prudhoe Bay because we do not have a way to move the oil across the country.

Mr. YOUNG of Alaska. You are asking someone who knows nothing about the oil line, and you know it. If you wanted to get information get it from somebody who knows what it is about.

Mr. DICKS. Mr. Chairman, I thought the gentleman had yielded to me.

Mr. JEFFORDS. Mr. Chairman, I had yielded to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I was of the opinion the gentleman had yielded to me.

Mr. Chairman, the really central question here is, do we want to spend \$381 million of Federal taxpayer money to develop nine more wells? Now, figure out what that is. That is well over \$40 million per well. I just think that is too expensive. It is better to have the private sector do it. Husky has already said they have had some significant finds. The bidding by the oil companies will be substantial to develop this resource.

It just seems to me that when we cannot fund the Youth Conservation Corps, when we cannot fund fully the land and water conservation fund, we have a question of priorities here and I do not see how we can give one oil company \$141.5 million of the taxpayers' money. It just does not make any sense.

Mr. JEFFORDS. Is my understanding correct that if the gentleman's amendment passes then he might offer amendments to increase the funding for the Youth Conservation Corps and for the water conservation fund?

Mr. DICKS. Mr. Chairman, I know for a fact in the other body amendments to that effect are under consideration. If we could reduce the spending here we would be in a position—I am only speaking except for myself—in conference to maybe get some more of that money for those very important human and natural resource priority programs.

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I want to emphasize that I am for oil exploration and the administration states the fastest way to get it started is to turn it over now to the private sector and stop this endless Government drilling program at a massive cost to the taxpayers.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. JEFFORDS. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, to answer the gentleman's question on Alaska oil and the pipeline, my good friend remembers that the gentleman voted to lock up most of the State, the oil that is needed in the gentleman's State. You cannot live on wood forever.

To answer the gentleman's question

specifically, in 1985 the oil line is going downhill. The 1,200,000 barrels that you are going to get and you are getting today is going downhill. By 1987, if we are lucky, it will be 700,000 barrels a day. It takes at least 6 or 7 years just to explore a field and develop it.

Now, we are talking about stopping it, so when the gentleman says is there enough in the pipeline, my God, I cannot believe this body when we say we will put it off until 10 years down the road. Where is the future of America? It is there today, not tomorrow.

Mr. SANTINI. Mr. Chairman, I move to strike the requisite number of words. I rise to speak in opposition to the amendment.

Mr. Chairman, I think it is appropriate at this juncture to at least set the legislative record straight with regard to prior considerations by this body and the United States Senate on this issue. The Senate Budget Committee report of April 12, 1979, supported our House committee.

The House Budget Committee report of April 13, 1979, supports our committee.

The Mines and Mines Subcommittee of the Committee on the Interior and Insular Affairs, an eminent committee of the House of Representatives, supports the position of the committee.

The Public Lands Subcommittee of the Committee on Interior and Insular Affairs supports the committee.

The Committee on Interior and Insular Affairs supports the position of the committee.

The Subcommittee on Interior and the House Committee on Appropriations supports the position of the committee, and the Senate Committee on Energy and Natural Resources supports this committee.

Now, this is just another in a series of forays to frustrate oil and gas exploration at a critical time in our Nation's history when some might feel that oil and gas exploration has relevancy.

I commend the committee chairman. I commend the committee. I commend all the enlightened bodies that have already endorsed this exploration and urge the Members to resist the amendment.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. SANTINI. I would be happy to yield to the gentleman.

Mr. YATES. Mr. Chairman, this is the second time we have debated this issue. The first time was on June 19 when I brought to the floor of the House a deferral resolution. The administration wanted to defer the expenditure of \$1.8 million for drilling on the national petroleum reserve in Alaska.

The gentleman from Vermont (Mr. JEFFORDS) voted in favor of postponing the deferral and my good friend, the gentleman from Washington, who is a distinguished and valuable member of our subcommittee, not only voted against the deferral, but participated in the discussions in our committee. He voted in favor of postponing the deferral in our committee, voted in favor of postponing the deferral when the bill came to the floor and is now taking an opposite position.

The fact is that it is a question of time. Sure, private enterprise will ultimately move into the program, but under the law there has to be a report filed by the first of the year in which the Department of the Interior can propose legislation to the Congress.

The testimony before our committee was to the effect that if the administration's request were agreed to and the Husky Oil Co. were required to close down its drilling, pack up its rigs, take up its equipment, and leave the premises, we would have to pay the Husky Oil Co. at least \$60 million in termination costs and that it would be at least 5 or 6 years before a private contractor having bid on a Government program would be able to start drilling. Husky Oil Co. is in that position at the present time.

The question is one of time. How important is it to this country that we continue a drilling program that may result in our finding oil on the petroleum reserve?

Is it not of utmost importance that this program be continued? I say it is and I say this is an ill-timed amendment.

Mr. SANTINI. I think the chairman has said it and said it very well. I would urge the House to continue the position it expressed on June 19, 1979, wherein it voted 409 to 3 to reject the position presently proposed by the gentleman from Washington.

Mr. McDADE. Mr. Chairman, will the gentleman yield?

Mr. SANTINI. I am happy to yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, I thank the gentleman for yielding.

I just want to clear up one statement that was made in the record that carried with it an innuendo that I found very offensive. To say we are really continuing this program for the sole benefit of the Husky Oil Co., which is the private contractor drilling on the reserve is wrong. The record should reflect at this point that that contract was entered into in a competitive bid in which the major oil companies were excluded from bidding.

What we looked at was the interest of the Nation and the way for Husky Oil to collect \$64 million is to do what this administration wants to do, close them down and have them leave town and leave us as a nation continuing to hold the energy bag.

I think the gentleman owes the members of the subcommittee an apology for the gentleman's remarks.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. SANTINI. I yield to the gentleman from Washington.

Mr. DICKS. Well, I certainly did not intend to impugn the integrity of any member of the committee, all of whom have acted very honorably on this issue. If that was the gentleman's impression, if the gentleman accepted that as my remark, I apologize; but I want to tell the gentleman this, that I do think when we can justify \$141 million for five wells, that is awfully expensive at a time of budget austerity.

I want to say one thing about my chairman, who is correct in everything

the gentleman has stated to a certain degree. I admit error. I did not look at this program carefully enough at first, but when I saw what was going on, I changed my view.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. DICKS).

The amendment was rejected.

AMENDMENT OFFERED BY MR. RUDD

Mr. RUDD. Mr. Chairman, I offer an amendment.

(The portion of the bill to which the amendment relates is as follows:)

#### TRIBAL TRUST FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated not to exceed \$3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391) including cash grants: *Provided*, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary.

The Clerk read as follows:

Amendment offered by Mr. RUDD: On page 21, line 22, after the period, insert:

#### "SALT RIVER PIMA-MARICOPA SETTLEMENT

"For settlement of the Salt River Pima-Maricopa Indian Reservation boundary dispute, pursuant to Public Law 95-399, \$1,965,000 to be paid to the Salt River Pima-Maricopa Indian Community and \$1,952,000 to be paid in accordance with the second sentence of section 5(b) (2): *Provided*, That notwithstanding any other provision of law, the payments provided herein shall constitute a complete release and satisfaction of any claim which any person may have against the United States, the Salt River Pima-Maricopa Indian Community, or holder of any interest with respect to any right, title, or interest in any portion of the parcels of land described in paragraphs 1 through 9 of section 3(b) and/or subparagraphs (A), (B), or (C) of section 3(a) (2) of Public Law 95-399 which are located north of the boundary line referred in section 3(a) (2) of Public Law 95-399."

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. RUDD. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, the gentleman and our illustrious colleague, the distinguished minority leader from Arizona (Mr. RHODES), have talked to the

committee about this amendment. We considered it in committee very carefully and we did not put the funds into the bill at the time we marked up the bill because there was some question in the committee's mind as to whether the settlement of this boundary dispute was a final settlement.

The language in this amendment is intended to assure that the amounts received by the Salt River Pima-Maricopa Indian community and by all members of the Salt River Pima-Maricopa Indian Reservation boundary dispute accept the funds that are a part of this amendment in full settlement of any and all claims. That is the gentleman's understanding as well, is it not?

Mr. RUDD. That is my understanding.

Mr. YATES. Mr. Chairman, with that understanding, the committee accepts the amendment.

Mr. McDADE. Mr. Chairman, will the gentleman yield?

Mr. RUDD. I would be happy to yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, I want to commend my friend, the gentleman from Arizona. The gentleman has worked long and hard on this amendment.

I agree, as the chairman has said, we believe we have come to a final resolution of a very difficult problem. It is because the gentleman and his colleagues have worked so hard, we are delighted to accept the amendment on this side of the aisle.

Mr. RUDD (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RUDD. Mr. Chairman, this amendment provides for an appropriation of \$3.9 million to implement Public Law 95-399, the redesignation of the southern boundary of the Salt River Pima-Maricopa Indian Reservation in Maricopa County, Ariz., which was unanimously approved last year by the Congress, and signed by the President.

This amendment has been discussed with the distinguished chairman of the subcommittee (Mr. YATES), and the distinguished ranking minority member (Mr. McDADE), and has been accepted by both sides.

I would like to yield now to the distinguished chairman for any comment that he might like to make, and urge adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. RUDD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLORIO

Mr. FLORIO. Mr. Chairman, I offer an amendment.

(The portion of the bill to which the amendment relates is as follows:)



## LAND AND WATER CONSERVATION FUND

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including \$7,693,000 for administrative expenses of the Heritage Conservation and Recreation Service during the current fiscal year, and acquisition of land or waters, or interest therein, in accordance with the statutory authority applicable to the State or Federal agency concerned, to be derived from the Land and Water Conservation Fund, established by section 2 of said Act as amended, to remain available until expended, not to exceed \$447,059,000, of which (1) not to exceed \$200,000,000 shall be available for payments to the States in accordance with section 6(c) of said Act; (2) not to exceed \$3,690,000 shall be available to the Bureau of Land Management; (3) not to exceed \$41,573,000 shall be available to the Forest Service; (4) not to exceed \$20,600,000 shall be available to the United States Fish and Wildlife Service; and (5) not to exceed \$173,503,000 shall be available to the National Park Service: *Provided*, That not to exceed \$12,000,000 of the amount provided for State assistance may be available as a contingency reserve to be administered by the Secretary to meet unforeseen needs of the States: *Provided further*, That the \$12,500,000 available to the Forest Service in fiscal year 1979 for acquisition of the Kahle and Jennings properties may be used to acquire other properties in the Tahoe Basin of California and Nevada with no matching requirement.

The Clerk read as follows:

Amendment offered by Mr. FLORIO: Page 8, after line 15, insert the following:

## PINELANDS NATIONAL RESERVE

For expenses necessary to acquire lands and waters or interests therein pursuant to the authority of section 502(h) of the National Parks and Recreation Act of 1978 (Public Law 95-625) \$12,000,000, to remain available until expended.

Mr. FLORIO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FLORIO. Mr. Chairman, last year when section 502 of the National Parks and Recreation Act of 1978 was enacted, the Congress made a commitment to protect, preserve, and enhance the significant values of the land and water resources of the Pinelands area of southern New Jersey.

The Pinelands contain approximately 1 million acres of pine-oak forest, extensive surface and ground water resources of high quality, and a wide diversity of rare plant and animal species, which provides important ecological, natural, cultural, recreational, educational, agricultural, and public health benefits. A 27,000-acre dwarf forest in the midst of the Pinelands is biologically unique, an example of an ecosystem shaped by forest fires.

Incredible as it may seem, 50 million people live within a day's drive of this vast, sprawling tangle of pitch pine and oak, pure streams and rivers, rare plants and animals. The U.S. Department of the Interior has called the Pinelands "the most extensive wildcat tract in the Middle Atlantic seaboard region."

For more than 100 years New Jersey has valued the Pinelands' great underground freshwater reservoir. The State has established a number of public forests and parks in the region that have helped to preserve the water as well as the plants and animals. Unfortunately, however, the forest soil is so porous that pollutants could easily reach the underlying water deposits. Haphazard development on private lands in the Pinelands would certainly cause this polluting.

Rising taxes, increased costs of farming, and a general disinterest in farming among younger people have caused many farmers who work the fertile lands surrounding the Pinelands to sell their homesteads. It is estimated that 90 percent of these farms go to land speculators.

If the Pinelands are left in the hands of speculators, their future will be written in asphalt.

Section 502 of the National Parks and Recreation Act of 1978 recognized that there is a demonstrated need to combine the capabilities and resources of the local, State, and Federal Governments and the private sector to provide an alternative to large-scale direct Federal acquisition and management in cases where such acquisition and management is inappropriate.

Section 502 also recognized the need to provide assistance to the State of New Jersey and its units of local government in the development of a comprehensive management plan for the Pinelands area in order to assure orderly public and private development in the area.

Most significantly, was recognition of the need to provide, during the development of a comprehensive plan, Federal financial assistance for the acquisition of lands in the area that have a critical ecological value in immediate danger of being adversely affected or destroyed.

Mr. Chairman, while matters of form and style are being resolved to deal with the development of the comprehensive plan, the purchase of lands of critical ecological value must be undertaken as rapidly as possible.

The purpose of my amendment is to provide the funds to purchase these critical ecological areas. The amendment calls for \$12 million only of the \$23 million authorized to be appropriated under section 502 of Public Law 95-625, the National Parks and Recreation Act of 1978.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. FLORIO. I am happy to yield to the distinguished gentleman.

Mr. YATES. Mr. Chairman, this is an amendment that has been approved by the Office of Management and Budget.

The reason that the committee did not approve this amendment originally was because of a dispute within the New Jersey delegation itself. The committee thought that the members of the New Jersey delegation should work out their differences before approval was given to the amendment. It is our understanding that the members of the New Jersey delegation are in unanimous agreement on

this amendment, in view of the fact that it proposes a program that is innovative and imaginative and should be undertaken. With the understanding that it has the agreement of the New Jersey delegation, we have no objection to the amendment.

Mr. FLORIO. Mr. Chairman, I thank the gentleman for accepting the amendment.

I would like to put on the record that the amendment is being offered by myself, my colleagues, the gentleman from New Jersey (Mr. HUGHES) and the gentleman from New Jersey (Mr. FORSYTHE) as well.

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. FLORIO. I would be happy to yield to my colleague, the gentleman from New Jersey.

Mr. HUGHES. Mr. Chairman, I rise in strong support of the amendment offered by myself and my distinguished colleagues from New Jersey, Congressmen JIM FLORIO and ED FORSYTHE.

This amendment appropriates \$12 million to acquire land in the critical core of New Jersey's Pinelands. In so doing, it carries out one of the most important elements of the Pinelands Protection Act which Congress enacted into law last year.

For those of my colleagues who are not personally familiar with the Pinelands, I would like to take a minute to describe this region. This magnificent range of forests and bogs, located in southern New Jersey, constitutes one of the largest stretches of undeveloped land along the entire eastern seaboard. Within this forest of pine and oak trees, cedars and shrubs, live a rare collection of plants and animals which scientists tell us exist nowhere else in the world today.

At the center of the Pinelands, or Pine Barrens, is a forest of dwarf pines and oaks which have adapted to being burned about once every 8 years—a natural phenomenon which enables new seedlings to burst forth from the parent trees. In the surrounding lowland bogs and marshes, farmers cultivate some of the Nation's most bountiful harvests of both blueberries and cranberries.

Unfortunately, this unique wilderness area is under siege by developers. Located in the heart of the highly urbanized Northeast, the Pinelands represent one of the last remaining frontiers to be conquered by our ever growing population. In fact, developmental pressures are so intense that it is a wonder the Pinelands have even survived this long.

In an effort to relieve this developmental pressure, Congress last year enacted into law one of the most innovative and imaginative conservation programs that has ever been conceived. This program rejected the outdated method of protecting valuable wilderness areas through massive Federal acquisition of land.

Instead, it outlined for the first time ever a unique partnership among the local, State, and Federal Governments to carry out a conservation program in the Pinelands. To the largest extent possible, this program enhances the concept of

home rule and encourages continued private ownership of land. It is an approach to wilderness protection which I hope will someday be applied to open space areas all across our country.

This Pinelands legislation focuses on the establishment of a 15-member planning commission, whose members represent all levels of government as well as farmers, environmentalists, and other residents of the area. This commission is charged with the responsibility of developing a conservation plan which looks beyond municipal boundaries, and takes into account the overall ecological importance of the region.

As part of this conservation program, we determined that it was necessary to bring into the public domain approximately 30,000 to 50,000 acres which are located in the central core of the Pinelands. Some of this land is already owned by the State. The rest of the land is so crucial to the environment, and to the huge aquifer which underlies the Pinelands, that it must be acquired as well. That is what this \$12 million will be used for.

It has always been my firm belief that the Government has an obligation to pay for land which it considers to be in the public interest. At one time, proposals were being considered which would have protected this core region through the imposition of massive regulations. In a sense, private property would have been confiscated by law without just compensation. That is not an acceptable approach in the Pinelands or anywhere else, in my opinion. I am pleased that this amendment enables us to carry out our responsibilities fairly, by paying for land which is taken out of private ownership.

I might add that land will only be acquired in the critical core of the Pinelands, and that this land will have to meet the test of being "environmentally sensitive and in immediate danger of being destroyed."

In sponsoring this amendment, I want to make it clear to my colleagues and to the people of New Jersey that I am not entirely satisfied with the Pinelands legislation which recently passed the State legislature. I believe the State bill goes far beyond what is necessary to protect the Pinelands, and that certain elements of it are not consistent with the Federal Pinelands Act. Most troubling to me was the State's decision to impose a blanket moratorium on all development within a 1 million acre area of New Jersey—an area which includes thousands of private homes and entire towns and cities. This moratorium was rejected during the drafting of the Federal Pinelands legislation, and I regret that it has since been imposed by the State. In the months ahead, I hope to continue my discussions with State legislators to revise this and other provisions of the State law which I feel undermine our efforts to develop a conservation program in the Pinelands that is both fair and reasonable.

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Mr. McDADE. Mr. Chairman, will the gentleman yield?

Mr. FLORIO. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, I want to commend my colleague, the gentleman from New Jersey (Mr. FLORIO), and all the New Jersey delegation. This is indeed a unique piece of land left in the most urban State in the Nation.

We have discussed this, and we are delighted that the delegation has come to an accord. We are happy to accept the amendment on this side.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. FLORIO. I yield to the gentleman from New Jersey.

Mrs. FENWICK. Mr. Chairman, as a member of the New Jersey delegation I, too, would like to compliment my colleague, the gentleman from New Jersey (Mr. FLORIO), on this amendment. Not everybody may agree, but I do. I think this is one of the most valuable things that could be done for our State.

Mr. FLORIO. Mr. Chairman, I thank the gentlewoman very much, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. FLORIO).

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments to title I, the Clerk will read.

The Clerk proceeded to read title II.

Mr. YATES (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. Are there any points of order against title II?

Hearing none, the Chair will inquire, are there any amendments to title II?

AMENDMENT OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer an amendment.

(The portion of the bill to which the amendment relates is as follows:)

DEPARTMENT OF ENERGY  
SYNTHETIC FUELS PRODUCTION

For expenses necessary to carry out the provisions of the Defense Production Act of 1950, as amended (50 U.S.C. 2061 et seq.), \$1,500,000,000, to remain available until expended, for the purchase or production of synthetic fuels and synthetic chemical feedstocks, to be derived from an energy trust fund as established by H.R. 3919 or equivalent legislation: *Provided*, That if no such fund has been established upon enactment of this bill, funds for such program shall be derived from general funds of the Treasury not otherwise appropriated, to be reimbursed from the funds at such time as the fund is established: *Provided*, That this appropriation shall not be used for the construction of facilities: *Provided further*, That the President is authorized to contract for purchases of or commitments to purchase, or to resell synthetic fuels and synthetic chemical feedstocks to the extent of appropriations provided herein.

The Clerk read as follows:

Amendment offered by Mr. YATES: Page 34, line 11, after "feedstocks" strike out all through the word "established" on page 34, line 17 and insert: ", to be derived from the

Energy Trust Fund established by H.R. 3919 or a fund or segregated account or equivalent mechanism established by equivalent legislation: *Provided*, That if no such fund, account or mechanism has been established upon enactment of this bill, funds for such program shall be derived from general funds of the Treasury not otherwise appropriated, to be reimbursed from such fund, account or mechanism at such time as it is established".

Mr. YATES. Mr. Chairman, the purpose of this amendment is to permit the funding of the synthetic fuels program through the energy trust fund if and when that fund is established. The language has been worked out with the Office of Management and Budget and provides that the funds come from an equivalent mechanism in the event the trust fund itself is not established pursuant to the windfall profits tax bill that was passed by the House a short time ago.

For that reason, Mr. Chairman, we are satisfied that the language is desirable, and I ask for a vote on the amendment.

Mr. McDADE. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, the gentleman from Illinois (Mr. YATES) has worked hard to get this amendment in shape and negotiated with the Office of Management and Budget. We think it is a good amendment, and we support its adoption.

Mr. YATES. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. YATES).

The amendment was agreed to.

Mr. ADDABBO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it was my intention to offer an amendment on the Pennsylvania Avenue Development Corporation. It has been brought to my attention by some personal friends of mine and by relatives that the Pennsylvania Avenue Development Corporation was not actually fulfilling the directives of the Congress.

I have had a meeting with them and have spoken to the chairman of the subcommittee, the gentleman from Illinois (Mr. YATES), and he has assured me that his committee will carefully monitor the Pennsylvania Avenue Development Corporation and see to it that they fulfill all the obligations of the original directive given to them by the Congress.

Therefore, Mr. Chairman, I will not be offering my amendment at this time.

AMENDMENT OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer an amendment.

(The portion of the bill to which the amendment relates is as follows:)

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, \$545,552,000, to remain available until expended: *Provided*, That of the total amount of this appropriation, not to exceed \$1,450,000 shall be available for a reserve to cover any defaults from loan guarantees issued for electric or hybrid vehicle research, development, and production as authorized by section 10 of the Electric and Hybrid Vehicle Research,



Development and Demonstration Act of 1976 (15 U.S.C. 2509): *Provided further*, That the indebtedness guaranteed or committed to be guaranteed under said law shall not exceed the aggregate of \$16,000,000: *Provided further*, That \$180,000,000 appropriated in Public Law 95-240 for conservation grants for schools and health care facilities and \$17,500,000 appropriated in Public Law 95-240 for conservation grants for local government buildings shall remain available until expended.

The Clerk read as follows:

Amendment offered by Mr. YATES: On page 35, line 21, delete "\$545,552,000" and insert in lieu thereof "\$566,052,000".

And on page 36, line 10 after "expended" insert the following: "*Provided further*, That of the total amount of this appropriation, not to exceed \$5,000,000 shall be available for a reserve to cover any defaults from loan guarantees issued for financing the construction of facilities to convert municipal wastes into synthetic fuels as authorized by Section 19 of the Federal Nonnuclear Energy Research and Development Act of 1974, as amended (42 U.S.C. 5901, et seq.): *Provided further*, That the indebtedness guaranteed or committed to be guaranteed under said law shall not exceed the aggregate of \$50,000,000".

Mr. YATES. Mr. Chairman, the purpose of this amendment is to add funds to various energy conservation programs that we have worked out together with members of the authorizing committee, the Committee on Science and Technology.

Additional funding has been made available for various programs in transportation energy research, industrial efficiency, and cogeneration and conversion of waste to energy. We believe the additional funding will permit the Department of Energy to make advances in each of those funded areas, and inasmuch as conservation in all of its forms is the best source of protecting and preserving our energy resources today, we think this is a desirable amendment.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this is the amendment to which I referred earlier. As I said, it adds \$6.5 million for industrial cogeneration, \$5 million for urban waste loan guarantees, as described by the gentleman in the amendment itself, and \$9 million for transportation. I do appreciate the gentleman's working with us on this matter, and I am satisfied with the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. YATES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WEAVER

Mr. WEAVER. Mr. Chairman, I offer an amendment.

(For the portion of the bill to which the amendment relates, see prior proceedings of the Record today.)

The Clerk read as follows:

Amendment offered by Mr. WEAVER: On page 34, strike lines 6 through 22, inclusive.

Mr. WEAVER. Mr. Chairman, I again want to thank this committee and the

Subcommittee on Interior of the Committee of Appropriations for the fine job they have done on the Forest Service in raising the amounts from the President's budget, and I thank the subcommittee chairman and the ranking minority member.

However, I do feel compelled to offer this amendment which strikes the \$1 billion 500 million in the budget in this bill for synfuels. I recognize that I was in the very small minority when the House voted on the Moorhead amendment, but I still feel that we are going in the wrong direction by funding now the synfuels with this much money because it is going to break the budget and put us over our budget limits.

□ 1810

Mr. Chairman, in the matter of Germany's use of synfuels in the Second World War, they did fuel the Wehrmacht with synfuels, but we forget what those planes were like and the amount of synfuels that Germany produced at that time were 50,000 barrels a day. It took an all-out national effort for them to do that, but it was 50,000 barrels a day, and that is not what we are aiming at now. It is a much larger figure, with much more disastrous consequences for our economy.

I would like to say that it is essentially the wrong direction to go in.

Today the primary cause of the Consumer Price Index rise is our excessive use of extremely high-priced energy. That is what has made the Consumer Price Index go up 10 percent and 12 percent and 14 percent a year.

Now the Government has come along and printed the money, through deficit spending and other means, to cover the cost of this increased energy. In other words, instead of letting our people buy higher cost energy and doing without some place else, they said, "No, we are going to have both our cake and eat it too, and we are going to print the money."

This has been extremely inflationary. In other words, we have the printing presses out loaning the people money instead of buying high-priced energy, so we go on and live as if we are still buying oil at \$2 a barrel instead of \$20 a barrel that imported oil now costs and instead of \$40 that synfuels will cost, the most inflationary thing we could possibly do.

If we cut down on our use of high-cost energy, we would lick inflation, we would break OPEC, we would force Detroit to build a cost-fuel efficient car. We are going in the wrong direction.

So I move to strike that \$1.5 billion for synfuels, which, again, fuels the fire of inflation and breaks the budget.

I would like to ask the distinguished chairman of the subcommittee, first of all—if the gentleman will deign to answer my question—what this \$1.5 billion is going to be used for in this fiscal year.

Mr. YATES. If the gentleman will yield, I am informed by the Department of Energy that, in all probability, the money will not be expended during this fiscal year. It was placed in the bill because representatives of the Department

of Energy testified that private business, which is going to be asked to participate in the synfuels program by furnishing synthetic fuel by 1985 at the rate of 500,000 barrels a day and 2 million barrels a day by 1990, needs evidence of purpose on the part of Government in its determination to go forward with a synthetic fuels program.

There is a possibility, I will say to the gentleman, that \$1 billion of the \$1.5 billion could be committed to a program referred to as the ANR coal gasification plant. It may be eligible for funding during the year.

The CHAIRMAN. The time of the gentleman from Oregon (Mr. WEAVER) has expired.

(On request of Mr. YATES and by unanimous consent, Mr. WEAVER was allowed to proceed for 2 additional minutes.)

Mr. YATES. The additional one-half billion dollars is for the purpose of seeking invitations to bid by private industry for the kind of synfuel programs authorized by the so-called Moorhead bill and the total amount of \$1.5 billion could be used for it if not committed to the ANR project.

Mr. WEAVER. Mr. Chairman, I want to thank the always distinguished chairman for his very frank answer. I really appreciate his candor.

In other words, do not know what the money is going to be spent for; we do not know whether it is needed. It is a pledge, in effect, off in some distant vague future, and I urge the committee to vote for this amendment to strike the \$1.5 billion, the budget-breaking item.

Mr. McKAY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think those who have been working with synthetic fuels will recognize that unless there is some incentive there for somebody to get a contract to get started, they are not going to get into these synthetic fuels. We were through this cycle in 1973, and then we went to sleep again. So we are behind. We need to keep sufficient funds in to get this on line.

This committee has been dealing with synthetic fuels for about 15 years, hearing testimony referring to pilot plants and research and development for years, and we have not gotten a barrel of oil.

We have to be serious about it. The Members might be interested to know that, in fact, at the instigation of the chairman, we proceeded to put in a section in this bill to provide for \$25 billion so that people knew we were serious about getting contracts and, instead of pushing the chain through grants, to offer a contract to purchase, to decide which process is available, and to get the thing started and to get it on the road. Every year and every month we wait, every year we postpone the funding of it, we cost ourselves more money. We are putting out \$60 billion a year in a balance-of-payments deficit overseas. We have the resources here. Why do we keep abusing ourselves with inflationary costs? We can pay out that kind of money today and still make money. Those overseas barrels of oil are costing us, in related costs, as much as \$99 a

barrel. We need to get it here. We can afford to put at least this pittance in to get something started.

Mr. Chairman, I oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. WEAVER).

The amendment was rejected.

AMENDMENT OFFERED BY MR. WEAVER

Mr. WEAVER. Mr. Chairman, I offer an amendment.

(For the portion of the bill to which the amendment relates, see prior proceedings of the Record today).

The Clerk read as follows:

Amendment offered by Mr. WEAVER: On page 34, line 9, strike "\$1,500,000,000" and insert in lieu thereof "\$1,481,540,000".

On page 30, line 1, strike "\$847,151,000" and insert in lieu thereof "\$865,611,000"; and, also in line 1, strike "\$188,218,000" and insert in lieu thereof "\$197,748,000".

Mr. WEAVER. Mr. Chairman, I would like to tell the committee that I am very serious about this amendment and would hope that the committee would seriously consider accepting it.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. WEAVER. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, may I read to the gentleman a letter I received from the head of the Forest Service, dated July 26, 1979. I am sure the gentleman knows of the determination by this committee to do everything that it can to assure that reforestation shall proceed as promptly as possible.

Mr. WEAVER. I compliment the gentleman for his great efforts. I have always said that the Forest Service owes a great deal to Chicago.

Mr. YATES. This is what the gentleman said, and this is from R. Max Peterson, Chief of the Forest Service:

DEAR CONGRESSMAN YATES: This is in response to your inquiry concerning possible increases in reforestation for 1980.

We wanted to know whether he could use more money for reforestation, after the gentleman from Oregon told me about it.

He says this:

Our reassessment of anticipated planted stock indicates that the 221,000 acres targeted for reforestation and associated funding, as contained in the House actions, are the maximum we can reasonably handle in fiscal year 1980.

I will tell the gentleman that if the chief had told us that he could use more money for reforestation, if he had told us that he had talked to the gentleman from Oregon (Mr. WEAVER) and that the gentleman was insisting that he put more money in, and if he would have said, "I agree with Mr. WEAVER, we should have more money," had he told us that, we would have put more money in. But the gentleman knows that we have a program for reforestation, we adhere to it even though the Office of Management and Budget refuses to put funds in it. We put it in because we think it is vitally important to the people of this country.

Mr. WEAVER. Mr. Chairman, the gentleman speaks the truth. I thank the

gentleman for the hard and great work he has done in reforesting the national forests of this country. We owe a debt to the gentleman.

I will not say, in deference to the esteem in which I hold the chairman, that this is simply a pledge, a pledge to somebody to plant trees. I could say that, because that was the gentleman's response to how the money was going to be spent for synfuels. The gentleman did not know how the \$1.5 billion was going to be spent for synfuels. But the \$9.53 million that is in my amendment for reforestation actually will go for timber stand improvement, which the Forest Service says, is the amount they could effectively spend this year for timber stand improvement. As, of course the committee knows, the line item on reforestation is also timber stand improvement.

□ 1820

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. WEAVER. I yield to the gentleman from Illinois.

Mr. YATES. I would hope the gentleman would withdraw his amendment. He has the committee assurances respecting reforestation.

I will even go further than my subcommittee. I do not know whether they would agree with me. I share the gentleman's concerns to some extent about the synfuels programs. I know about the so-called greenhouse effect that Prof. Roger Revel and others have talked about. I do recognize that as a possible threat.

I do want the gentleman to know that I appreciate, too, the need for the growth of more and more trees to withstand that possibility. I would want the gentleman to know he has my assurance, and I am sure the assurances of the members of our committee that we are determined that the trees shall continue to stand and that for every tree cut, I would like to see a tree planted and more trees planted.

Mr. WEAVER. I again appreciate very much the remarks of the gentleman. There is no question, I agree with him completely. He is saying the truth.

I do want, however, to say that if you want energy today, we are burning slash in our forests today, burning it and polluting our air.

In the forests in my district right now, the air you can hardly see through it because of the smoke from some forest fires but also the slash that is being burned.

Mr. YATES. Is this taking place in the great State of Oregon?

Mr. WEAVER. It is taking place in the great State of Oregon.

Mr. YATES. That is not the way the great State of Oregon was explained by the gentleman in our committee, the gentleman from Oregon (Mr. DUNCAN).

Mr. WEAVER. Right now we are burning slash, burning this wood waste.

My amendment not only gets additional trees out of the forest, from thinning operations, but right now what do we do? You have \$9 million or \$10 million in the bill to burn the slash.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

(By unanimous consent, Mr. WEAVER

was allowed to proceed for 2 additional minutes.)

Mr. WEAVER. You have \$9 million or \$10 million in the bill to burn the slash in the forests. The additional \$9 million in my amendment will not burn the slash in the forests. It will take it out.

Now, I have gotten my local utility, the Eugene Water and Electric Board, a contract with the Forest Service to set up a generating plant to use this slash.

We are going to start producing electricity with it, and we can produce gasohol with it also. People can just simply burn it in their homes, but it has got to be brought out of the forest.

So if you want energy now, this moment, and if you want more produce from our forests, then vote for my amendment, because it will get the energy immediately.

I am just asking for \$18 million of this \$105 million in here for synfuels. Frankly, it will produce more energy, the \$18 million, than the other \$1,482,000,000.

The chairman made my final point, which was to simply say that when we burn synfuels, we put carbon dioxide in the air, jeopardizing the world's climate. Trees take carbon dioxide out of the air, and so if you are determined to build synfuel plants, please at the same time plant lots of trees.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. WEAVER. I yield to the gentleman from Ohio.

Mr. REGULA. Is it not a fact that slash is used in many different ways depending on the proximity to manufacturing facilities, and otherwise it might be used in paper board? It might be used in the production of various other wood byproducts, so that in reality it is the economics in many instances that dictates the use of slash? It might well be that some of the slash is totally inaccessible to transportation and therefore not economical in terms of removal?

Mr. WEAVER. We can take this out of the forest, but the policy right now, and the money in here, is simply to burn it.

My amendment would take it all out of forests and make it available for energy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. WEAVER).

The amendment was rejected.

AMENDMENT OFFERED BY MR. GOLDWATER

Mr. GOLDWATER. Mr. Chairman, I offer an amendment.

(The portion of the bill to which the amendment relates is as follows:)

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95-91), \$699,377,000, to remain available until expended: *Provided*, That no part of the sum herein appropriated shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

The clerk read as follows:

Amendment offered by Mr. GOLDWATER: On page 35, line 2, strike "\$699,377,000" and insert in lieu thereof "\$703,377,000."



Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. GOLDWATER. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman was kind enough to discuss this amendment with the committee before we came to the floor, and I want to tell the gentleman the committee is most sympathetic to the purposes of the amendment.

We do have a letter from the Department of Energy in which they discuss the molten salt gasifier program. This is in a letter addressed to me by Mr. John Deutch, dated July 25. It says:

As you know the Department requested and received \$1 million in fiscal year 1979 to place the molten salt gasifier PDU in standby status. It appears that this technology may have some promise and we are currently evaluating what role the molten salt gasifier could play in the overall third generation R&D program. Sufficient funds to continue this evaluation are available within the fiscal year 1980 budget. We do not believe that the \$4 million additional proposed is necessary since no decision has been made to modify the PDU facility and expand this project beyond its current scope.

May I say to the gentleman there are approximately 61 gasifiers that are commercially available, under commercial development, or that the Department of Energy has among its programs today. Nevertheless, I know of the interest in this molten salt gasifier. I would like to say to the gentleman that in the event the Senate decides to put this program into effect, the committee would be glad to seriously consider it.

Mr. GOLDWATER. I appreciate the chairman's sympathetic feelings on this. I know he understands the importance of it. I appreciate his understanding about it.

Mr. YATES. Might I request the gentleman might want to withdraw his amendment at this time.

Mr. GOLDWATER. The gentleman will take that under consideration.

Mr. YATES. I thank the gentleman.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. GOLDWATER. I yield to the gentleman from New York.

Mr. OTTINGER. I would like to say that our subcommittee did include the amount for the molten salt gasifier, with virtually unanimous consent of the subcommittee. Our own staff feels this is one of the more promising technologies. I do understand the concern of the gentleman from Illinois (Mr. YATES) with respect to the number of gasification projects being funded by the Department of Energy, but I would urge upon him that everything we have seen indicates this is a very promising technology.

I hope he would urge upon the Department of Energy to fund it, and if it does come up in the Senate, he would, as he said he would—and I certainly believe it—very seriously consider adding the funds in conference.

I thank the gentleman. I think he has an excellent amendment.

Mr. GOLDWATER. Mr. Chairman, let me just point out what I am trying to do. This amendment would raise the fossil energy research and development au-

thorization by \$4,000,000 to allow funding for molten salt gasification research for fiscal year 1980.

The molten salt furnace is a highly efficient means of burning coal with very little pollution to the environment. The Energy Technology Engineering Center of the Department of Energy is currently operating a process demonstration unit utilizing this technology with very promising results. In this facility, salt under pressure is heated to 1,800 degrees. Coal is partially combusted in the salt which releases a low-Btu fuel gas while capturing the sulfur and the ash. The salt is then regenerated and the sulfur is captured as elemental sulfur.

The molten salt process has a number of advantages over most of the other gasification technologies. It can use a wide variety of coals. The product gas is also extremely low in sulfur, tar, heavy hydrocarbons, ammonia, and NO<sub>x</sub>. The efficiency of the system is also much higher than the current generation of Lurgi gasifiers.

If we do not act to fund this project, a facility which was completed in mid-1978 and which has run well will be abandoned prematurely. It is true that we have learned quite a lot about the merits of the molten salt technology as a source of low-Btu gas but this is not where the need or the market is. The 1980 authorization which I am calling for will permit examination of the technology's applicability to medium Btu gasification which is a much more versatile fuel.

Medium-Btu molten salt gasification has been demonstrated at laboratory scale, but there is currently no PDU-size facility in the free world where it can be tested. Yet, for \$50,000 to \$60,000 the DOE facility can be modified, after completion of the currently scheduled low-Btu tests, to perform this work. The balance of the \$4,000,000 would be spent on operating the facility during fiscal year 1980.

I ask your support and that of the rest of our colleagues on this amendment so this important, but relatively low-cost research can be performed.

□ 1830

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GOLDWATER).

The amendment was rejected.

AMENDMENT OFFERED BY MR. WOLPE

Mr. WOLPE. Mr. Chairman, I offer an amendment.

(For the portion of the bill to which the amendment relates see prior proceeding of the RECORD today.)

The Clerk read as follows:

Amendment offered by Mr. WOLPE: On page 35, line 21, increase the dollar amount shown by \$6,000,000.

Mr. WOLPE. Mr. Chairman, I want to commend the chairman of the committee and the membership of that committee for an excellent piece of work. I want to indicate in advance that the amendment I offer at this point should not be taken in any way as a comment on the overall work product of that committee. But there is one area of the com-

mittee's work that I feel does demand attention by this body at this point, and that is the appropriate technology program.

What this amendment before us would do would be to increase the dollar amount for the appropriate technology grant program by \$6 million, which would raise the appropriate technology program to the existing authorization of \$18 million. I should indicate that the Science and Technology Committee had originally recommended a \$23 million figure for the authorization, and the \$18 million authorization amount was a product of a compromise that was negotiated between the Committee on Interstate and Foreign Commerce and the Committee on Science and Technology. I mention this because the \$23 million recommendation of the Committee on Science and Technology was an indication of the enthusiastic support of the committee for this particular effort within the Department of Energy.

What is involved in that program is the offering of grants to communities, to small businesses, to individuals to support innovative conservation and energy production ideas. It is really the only program within the Department of Energy that is specifically tailored to support the efforts of individuals and that is not tailored to support the activities and the work of the largest corporate interests.

There is a limit of \$50,000 for any grant that is awarded under this program over a 2-year period. An indication of the tremendous support that this program has received nationally is the number of requests that have come in under this authorization. In fiscal year 1979 there were over 12,000 requests received by the Department of Energy totaling a requested allocation of \$343 million. Yet, the current funding level that is being proposed presently under the appropriations bill of \$12 million would allow only 2.3 percent of those requests to be funded.

Recently the Department of Energy in region 9 of this country undertook an evaluation to assess the worth and the value of the projects that were initiated under this grant program and came to the conclusion that 20 percent of the proposals were, in fact, worth funding, that they were meritorious. The evaluation of that region 9 program indicated that the average funded project created an energy saving far in excess of the cost of that initiative.

This is the most innovative energy program that we have within the Department of Energy. More importantly, I would submit, what is at issue here is whether or not we are going to successfully tie the efforts by individuals in local communities all across this country to the national mobilization effort to which all of us within this body are committed. The simple fact is that many people do not recognize how much can be accomplished at the individual level. We have not yet truly tapped the creative resources of the individuals within our local communities. To the extent we

can begin to get people individually generating ideas, putting to work those ideas within local communities, we can begin to get a truly personal identification, I submit, with our need nationally to move in a much more effective way toward conservation and toward the development of solar technology.

I would like to give just one example briefly from my own district where an individual came forward with a proposal for his own particular business establishment, a very small business, which was located physically adjacent to a local powerplant. He proposed to take the waste heat from this local powerplant and to link it into his establishment and use that waste heat; this is one example of cogeneration. It made sense from every standpoint. The dollars simply were not available.

If the dollars had been available to support this kind of an initiative, this individual small business was only one of a number of prospective small business establishments that were being developed in what is a larger industrial park within this region, and if we could get that one demonstration accomplished, we could have a massive impact on the entire pattern of industrial growth within this particular part of my congressional district.

That is just one example. Fortunately there are other examples that have been funded involving the use of solar technology to accelerate the growth of fish, to the development of alternative transportation programs involving community-based bus service.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(At the request of Mr. OTTINGER, and by unanimous consent, Mr. WOLPE was allowed to proceed for 3 additional minutes.)

Mr. WOLPE. Other examples of programs that have been funded under the appropriate technology program include projects that have helped to make much more efficient use of solar hot water and solar space heating by demonstrating how the two, if joined together, can yield a cost effective way of using solar energy in home construction.

In short, we have an opportunity through this program to make real and personal and local the effort at mobilizing energy resources in this country. I think we have much to gain by extending the appropriation that has been requested to that which has been authorized.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. WOLPE. I yield to the gentleman from New York.

Mr. OTTINGER. I congratulate the gentleman for his amendment. This was a program that was expanded at the initiative of the gentleman from California (Mr. BROWN) to \$23.5 million in the Energy Development and Applications Subcommittee by an overwhelming vote. This is the one program in the entire Government that funds the little guy with the good ideas.

Most of the inventions that have come into this country have not come from the large corporations but have come from individual inventors. Individual inventors most times do not have money to exploit their ideas. This program takes proven ideas, for instance, ideas that have gone through the small inventors' program and have been shown to be promising and allows \$50,000 to be put behind them in order to be able to move that idea and get the small inventor started.

Every one of us in our districts have had people come to us with ideas that really sound good, and they sometimes can get them proven and get the endorsements for them by reputable scientists. This puts a little money behind them and gives us an opportunity to help that kind of constituent.

I strongly urge support for this amendment. I know the gentleman from Illinois has been very generous to us, he has added \$3 million from what the committee originally provided for this program, but with \$343 million in applications sitting out there, and some of the ideas already funded being so successful that they would pay for the entire program, I would hope that he would reconsider and he would support the program.

Mr. WOLPE. I thank the gentleman from New York for his very helpful observations. I yield back the balance of my time.

□ 1840

Mr. LONG of Maryland. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

There is no shortage of energy resources in America. We are simply bursting with energy all around us—the Sun, coal, the tides, oil, oil shale, peat, and on and on. In oil alone we have only been able to get out 15 percent of all the oil that is known or believed to exist on this planet, certainly in the United States.

Why then do we have a shortage? We have a shortage because we do not have the capital to capture this energy and put it to work. The New York Stock Exchange estimates that we have a \$600 billion capital shortage right now, over the next couple of years. I put together a list not long ago of roughly \$2 trillion worth of capital shortages for all the needs we have—for housing, for roads, for mass transit, for synfuels, for flood control, and on and on.

Now, one of the reasons why we have a capital shortage, of course, is because we are spending vast sums on military; we are spending a lot on foreign aid, and then we find ourselves short of the capital we need to do the job. But, it is also because we have been putting vast quantities of capital into projects in which we are overcapitalized; we are wasting capital.

In my district we are building a subway 10 miles long at a cost of \$1 billion. If we wanted to save capital and get the job done, we have five rail lines where we could have put rail lines out in five different directions for a few hundred million dollars. But no, we had to do it the expensive way. Where does that come in?

The point I want to make is that what we need to do is reach for our brains instead of our pocketbooks. We are spending too much money, overcapitalizing, and what we need to do is to go back to the simple ideas of the ordinary people, the Eli Whitneys, that kind of person capable of doing the same thing for us. I have people come to me once a week, once a month, with an idea that sounds good, but they do not have the money. I will admit that a lot of those ideas are cockeyed ideas. We all know this, but let me tell the Members this: I spent my life in research, and the great majority of research is not worth a darn. But, one project that is worth a darn pays over and over again for all the rest. That is why I think this small grants project is important.

Let us let the ordinary guy who is close to a problem, who sees a solution, let us let him have a little money to develop it. We already know that we have many, many times more applications for grants than we have money to hand out. This program was authorized for \$18 million—I believe that was the full authorization. In the committee I was able to get this raised up to \$3 million above what the committee wanted, which I believe was \$12 million. But, we still lack another \$6 million, and I think this would pay for itself over and over again.

Let us give the ordinary person a chance to see what he can do, to come up with his ideas and his solutions, instead of giving it to the big corporations or instead of giving it to the Government where a lot of it is going to be spent on bureaucratic overcapitalization. So, I support this amendment and I say, let us reach for our brains instead of our pocketbooks.

Mr. BEDELL. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

Mr. Chairman, I will not take the 5 minutes, but I am reminded, as we have this debate, of what someone said to me as we were talking recently about efforts to procure gasohol. He said, "Here in the Congress we swallow camels and gag on gnats."

I think that is the problem we have right here. We are talking about \$6 million in a program in which we are at this time spending some \$45 billion per year for the oil we import. Now, the question is, when most of our inventiveness has come from small operations such as this and from small business, are we going to invest \$6 million in small grants of less than \$50,000 per grant in order to help to get that great help that we have available from those small inventors to help solve this problem, or are we going to say, "No, we cannot afford \$6 million to help to solve a \$45 billion problem."

I would hope that we would vote to add that \$6 million to get up to the full amount of the authorization so that we can show the people of America that we do have an energy problem and that we are willing to invest in the area where most of the creativity has been shown in our society.

Mr. WEAVER. Mr. Chairman, will the gentleman yield?



Mr. BEDELL. I yield to the gentleman from Oregon.

Mr. WEAVER. Mr. Chairman, I just want to rise also in support of this very valuable amendment. I commend the gentleman from Michigan for offering it. I want to say that in my study of the Northwest energy situation, in which I have been involved for many years, it shows untold possibilities of wood waste, biomass, of wave action in the water, that can give us much more energy than we are getting now from so-called conventional sources.

This can produce more energy, perhaps, than the one and a half billion dollars in there for synfuels if we discover an Edison with an idea that is really going to work.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. BEDELL. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to commend the gentleman also. I supported the efforts in the committee for the added \$3 million. When we see the money we are spending on other approaches, I think this is a very modest amendment, and I would hope that the committee would accept it.

Mr. YATES. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, the committee would have liked to provide funds for every one of the energy programs. We had to draw the line somewhere. We are almost \$2 billion over the budget in this bill.

The gentleman from New York says that there are \$343 million worth of requests in the so-called appropriate technology program. How many of these requests are good? How many of them are bad? Should we fund the entire \$343 million in requests? Should we go over the budget further by an additional \$343 million? What is the answer?

We do not know, if we were to put the additional \$6 million that the gentleman proposes into the budget, that the right programs would be funded. We do not know which of the applications are going to be excluded. The committee is very sympathetic to the program. We have gone over the budget by almost 50 percent for this program. We have gone over last year's level by 50 percent in this bill.

Just as we did not fund the land and water conservation fund to the extent that we might have done, we pointed out in the debate on that program that the budgetary constraints really governed our actions in that case. We have gone over the budget in other programs that we thought, in our list of priorities, we should have funded. There are, somewhere in this country, inventors who have answers with respect to the energy program. What has happened in the past is that when the inventions have had some prospect of tangible benefits, they have been able to find people with capital to fund those programs.

□ 1850

I have looked through the program book for these various programs. I have seen what they have funded, and I must

say that I do not find the selections that the Department of Energy has made under this program as being the kind that I would want to put extra funds into.

Mr. McDADE. Mr. Chairman, will the distinguished chairman yield?

Mr. YATES. I yield to the gentleman from Pennsylvania.

Mr. McDADE. I thank the gentleman for yielding. The gentleman has made the point, and I hope everybody has heard it, that the committee is almost 50 percent above what the budget request is. We have exceeded the budget request. It raises a very important point. What happens when you throw money at an agency, when you force it at an agency? Let us look at some of these.

Here is a fellow who got a grant for \$15,700, and he is going to test a system in his warehouse to bring in, and I quote from his grant, "ideal air." He is going to fill his warehouse with ideal air, and then he is never going to have to worry about heating it or cooling it.

I do not know how many Members in the House like to play handball, but here is a fellow who got \$13,700 to test a lighting system on a handball court to decide whether or not he could make it sensitive to the fact that a human being might walk in and the lights might go on. I do not know what happened to switches.

Here is another one. Here is a fellow who is going to develop a fan system to take cold air into the attic of a house and move hot air out. I thought that had been done 100 years ago.

I know we promised the Speaker we would try to be done by 7 o'clock. We have given the bill good discussion. We have gone over the budget. We have been very generous with this program, and we can go the other way, too.

Let us support that person out there who is working. Let us vote for this amendment and get on with this bill.

Mr. WEAVER. Mr. Chairman, I move to strike the last word. I will only take one minute. In response to somebody using "ideal air" for \$13,700, it is straight crazy. I agree. There are going to be a lot of crazy ideas, including the one of Armand Hammer's for synfuel for \$200 million. That is just as crazy, with the idea of burning oil shale inside, down under the ground. They have found out it burns not evenly, but through fissures. So they spent \$200 million and threw it out the window. We are about to spend \$1.5 billion, which is really breaking this budget, on some crazy ideas, and I say let us give these people a chance.

Mr. McDADE. If the gentleman will yield, how would the gentleman like a program in here to melt beeswax with solar energy?

Mr. YATES. If the gentleman will yield, the \$200 million Mr. Hammer spent was not Government money; it belonged to the corporation.

Mr. BEDELL. Mr. Chairman, will the gentleman yield?

Mr. WEAVER. I yield to the gentleman from Iowa.

Mr. BEDELL. I thank the gentlemen for yielding. I hope we keep things in perspective. You can find any Govern-

ment program where there have been some mistakes. I do not think that is the argument in this case. I think the argument is, are we going to have the funds so that the small inventors, if they do have ideas that might solve our energy problems, will not be denied the opportunity to help us solve those problems? I think every one of us here would do everything we could to see that those funds are then spent wisely, but for us not to make them available I think would be a serious mistake.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. WEAVER. I yield to the gentleman from Illinois.

Mr. YATES. I thank the gentleman for yielding.

The committee agrees with that thought. That is why we went over the budget for the appropriate technology program by almost 50 percent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. WOLPE).

The question was taken; and on a division (demanded by Mr. WOLPE), there were—ayes 15, noes 27.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. LAGOMARSINO

Mr. LAGOMARSINO. Mr. Chairman, I offer an amendment.

(For the portion of the bill to which the amendment relates, see prior proceedings of the RECORD today.)

The Clerk read as follows:

Amendment offered by Mr. LAGOMARSINO: Page 35, line 2, strike "\$699,377,000, and insert in lieu thereof "\$701,377,000".

Mr. LAGOMARSINO. Mr. Chairman, I am today offering an amendment to H.R. 4930, appropriating funds for the purpose of heavy oil conversion technology. I offer this amendment on behalf of myself and my colleagues, Congressmen LEWIS, THOMAS, LUNGREN, COELHO, MINETA, CLAUSEN, and ROUSSELOT. This amendment is identical to an amendment I offered, and which was accepted and adopted, to the DOE authorization bill, H.R. 4839.

Estimates indicate that there are 100 billion barrels of heavy crude oil in place in the United States and 1 trillion barrels of heavy crude oil reserves in Canada. Although this resource is vast, most of it is presently unrecoverable because current refining methods are inadequate, costly, and environmentally hazardous. Presently refining techniques produce unacceptable levels of difficult to dispose of waste, including threatening sulfur emissions. New and innovative refining techniques could permit us to utilize this wealth of crude oil at our disposal, to meet present and future energy demands.

As you know, the President, in his energy message July 15, proposed to immediately decontrol heavy oil, exempting it from the windfall profits tax. This action will, of course, result in long-term incentives for heavy crude refining investment, as well as production. However, it has come to my attention that there is already a cost-effective technology to facilitate the development of heavy crude oil refining methods. One such project,

proposed by a small refiner in my district in California, provides an encouraging approach to manufacturing gasoline feedstock and other high-value products from the thick high sulfur crude oils, abundant in our Nation, without producing hard to dispose of wastes and significant environmentally threatening emissions. This demonstration refinery plant in California has the capacity to convert 5,100 barrels of heavy crude oils and residual oils a day into valuable natural gas and gasoline, while removing sulfur. All residual oil is eliminated and, as already mentioned, the process is nonpolluting.

Unfortunately, the project was presented late in the DOE budget process. Although DOE has expressed strong interest in this concept it simply does not now have the funding authorization with which to proceed. My amendment would allow DOE to assist in developing this technology. At a time when we cannot afford to overlook any technologies which might assist in enhancing vital domestic energy supplies, it is crucial that we expedite those projects which are economically and environmentally appropriate. This process, in fact, would be possible on a quicker time scale and at a lower cost than massive coal conversion programs.

Mr. Chairman, unless the fiscal year 1980 Interior appropriation bill is amended to enable DOE to fund such projects, or it is made plain that they may use available funds for such purposes, at least one crucial year will be wasted in developing technology paramount to tapping our vast domestic heavy crude oil reserves. However, this vitally important project came to our attention only within the last several days. Although I had originally intended to offer an amendment authorizing \$30 million for the purpose of developing heavy oil conversion technology, I realize that the Subcommittee on Energy Development and Applications and the full Science and Technology Committee, responsible for this portion of the bill, has not had an ample opportunity to explore and review this project.

I have asked DOE to set the specific gravity to define heavy oil at 20 degrees. The entitlements program has already utilized 25 degrees for definition of heavy oil.

Mr. Chairman, I would strongly urge that my colleagues support this amendment.

Mr. McDADE. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the gentleman from Pennsylvania.

Mr. McDADE. I thank the gentleman for yielding. I want to say to my friend, the gentleman from California, that he has discussed the amendment with me, and I know he has discussed it with my very able friend, the gentleman from Illinois, the chairman of the committee. We are willing to make legislative history that the Department of Energy shall earmark not less than the amount of the amendment for experimentation on heavy oils. The gentleman has found a very important area that they are not working on, and we believe his amendment has absolute merit. So I know my

friend, the gentleman from Illinois (Mr. YATES), wants to comment in support of earmarking this amount.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the distinguished chairman of the subcommittee.

Mr. YATES. I thank the gentleman for yielding. Yes, I want to say to the gentleman that there is about \$700 million available for funding various programs, and I would think that in an area of the importance that the gentleman's amendment is addressed to that there would be enough money to take funds out of that for the gentleman's program. I would urge the Department to undertake that program from existing funds.

Mr. LAGOMARSINO. So the legislative history would show that it is the intent of the subcommittee that this money be used for that purpose?

Mr. YATES. That is correct.

Mr. LAGOMARSINO. I thank the gentleman.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the gentleman from California.

Mr. THOMAS. I thank the gentleman for yielding. Could I ask the distinguished chairman, when we are talking about "heavy oil," and I have heard this mentioned—the President's speech contained the term "heavy oil"—do we have some idea of what we mean by "heavy oil"?

I represent an area in California that is currently producing about 50 percent of the oil in California, and I have heard varying descriptions of what heavy oil is. I would very much like to know what heavy oil is. I will ask the distinguished subcommittee chairman.

Mr. YATES. If the gentleman will yield, the gentleman has the amendment. As I understand it, there is no exact definition of heavy oil agreed upon, but there are various formulas used for this definition. I am sure that in connection with the amendment offered by the gentleman from California (Mr. LAGOMARSINO), the Department of Energy will know what is meant.

Mr. THOMAS. If the gentleman will yield further, let me indicate to the gentleman that as soon as the President mentioned heavy oil in his Sunday night speech, the following Monday morning I called the Department of Energy, and they indicated that they were talking about heavy oil at about 10 on the specific gravity scale. I indicated that that is oil you almost have to mine. It is almost impossible to get down in a secondary or tertiary process. The entitlements program has defined heavy oil as 25. We have 10 specific gravity oil, and 25 which will not flow through a pipeline without being heated.

Mr. YATES. It is my understanding the Moorhead bill defines it as a specific gravity of 15.

Mr. THOMAS. If we are going to define it at 15, I want it understood that deals with one-third of the oil that was produced in California in 1977.

Most of the oil in my district has to

be moved through heated pipelines. My point is that we understand the potential contained in the heavy oil concept. We have literally trillions of barrels of oil underground now. If we are talking about decontrolling and removing from windfall profits "heavy oil," we have an interim area here between synthetic fuels and current oil that can meet our needs for some time to come. The critical question is just what is heavy oil?

Mr. LAGOMARSINO. If I may take back some of my time, I might say I have asked the Department of Energy to set the specific gravity for heavy oil at 20. There are various things. The amendment does not speak to that definition, but we think that 20 would be the minimum.

Mr. THOMAS. If the gentleman will yield further, if heavy oil is defined as 20, I think we will find a drilling boom in California that will produce by 1982 the 500,000 barrels a day that the President discussed as a potential by 1990. If we can define an 18 to 20 definition for heavy oil, we can have that half million barrels of oil a day within 2 years.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. I yield to the gentleman from California.

Mr. LEWIS. I thank the gentleman for yielding.

I thank the gentleman from Pennsylvania (Mr. McDADE) and the gentleman from Illinois (Mr. YATES) for their cooperation in this matter. As a practical matter, I think it is important for the House to be aware of the fact that most of OPEC's oil is in a specific gravity category of the 30's, in places like Indonesia in the high 30's and 40's. That is very, very pure oil. Within our own country we have a tremendous potential of what is known as heavy oil.

The CHAIRMAN. The time of the gentleman has expired.

(At the request of Mr. LEWIS, and by unanimous consent, Mr. LAGOMARSINO was allowed to proceed for 2 additional minutes.)

Mr. LEWIS. I will not take much more of the gentleman's time, if he will yield further.

Mr. LAGOMARSINO. I yield to the gentleman.

Mr. LEWIS. I thank the gentleman for yielding. As a practical matter, there are processes that are reasonably well proven, with some further experimentation that not only can refine some of these heavy oils in the 25 category, but that can do so in processes that are really essentially pure in terms of questions relating to air pollution and emissions that do not concern people like myself from southern California.

□ 1900

This money for experimentation purposes could be a tremendous asset and boon in our effort to solve this problem. I thank the gentleman.

Mr. LAGOMARSINO. Mr. Chairman, I thank the gentleman for his contribution. I also want to thank the chairman and the ranking member. I think their understanding of what we are doing here and their acceptance of what we are trying to do will be of great help.



Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California (Mr. LAGOMARSINO)?

There was no objection.

AMENDMENT OFFERED BY MR. COURTER

Mr. COURTER. Mr. Chairman, I offer an amendment.

(The portion of the bill to which the amendment relates is as follows:)

ECONOMIC REGULATORY ADMINISTRATION

For necessary expenses in carrying out the activities of the Economic Regulatory Administration and the Office of Hearings and Appeals, \$125,697,000: *Provided*, That none of the funds herein appropriated shall be available to pay the expenses of parties intervening in regulatory proceedings before the Economic Regulatory Administration.

The Clerk read as follows:

Amendment offered by Mr. COURTER: Page 36, line 17, insert "": *Provided Further*, that none of the funds herein appropriated may be used to promulgate, administer or enforce any regulation or to issue or enforce any order which would continue any mandatory allocation or price control of motor gasoline" after "Economic Regulatory Administration".

Mr. COURTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey (Mr. COURTER)?

Mr. YATES. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Clerk will read.

The Clerk concluded the reading of the amendment.

POINT OF ORDER

Mr. YATES. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. YATES. Mr. Chairman, I make a point of order against the amendment on the grounds it is legislation on an appropriations bill and it deprives the department officers of authorities that are conferred upon them by law.

The CHAIRMAN. Does the gentleman from New Jersey care to be heard on the point of order?

Mr. COURTER. Yes, Mr. Chairman.

Mr. Chairman, that particular amendment obviously has to do with allocation and the price control of gasoline. Very specifically, it has to do with limiting of the funding to the Department of Energy with regard to that.

As drafted the amendment as proposed addresses itself to a limitation of funding. The bill itself has to do with funding and as such is germane.

I direct the Chair's attention to Deschler's Procedures, chapter 28, section 27, restrictions on use of funds, there is precedent for such limitation. Chapter 28, section 27.16, to be specific, and I quote:

To a program authorizing Federal financial assistance, an amendment limiting the uses to which those funds may be put is germane. 120 Cong. Rec. 28423, 28438, 28439, 93rd Congress, 2nd Session, August 15, 1974.

That particular ruling by the Chair had to do with H.R. 12859, the Federal Mass Transportation Act of 1974.

The CHAIRMAN. Does the gentleman from Illinois (Mr. YATES) wish to be heard further?

Mr. YATES. Mr. Chairman, I have nothing to add.

The CHAIRMAN. The Chair is ready to rule.

The language that is offered by the gentleman from New Jersey does not restrict the authority of the President but does restrict the use of the funds in the language of the bill. The point of order is not well taken and is overruled.

The gentleman from New Jersey is recognized for 5 minutes in support of his amendment.

Mr. COURTER. Thank you very much, Mr. Chairman.

Mr. Chairman, obviously this particular amendment has to do with a problem with which we are all familiar. This particular amendment has to do with the allocation system and the price control system that has been placed into effect by the Department of Energy.

Basically, as far as I am concerned, the price control system and the allocation system has aggravated a problem and created a problem that would otherwise not have existed.

I want to point out that this particular amendment has nothing to do with gas rationing. It has nothing to do with perhaps a matter we have already discussed. It has nothing to do with the gas-rationing matter that we will be discussing perhaps tomorrow or some other day this week or when we return from our summer recess. Basically it has to do with allocation and price control.

The particular formula as adopted by DOE wreaked havoc on the Northeastern section of the United States. There were areas in the United States where there were no lines and areas where there were lines 4 and 5 hours long. Mr. Schlesinger, as the head of the Department of Energy, indicated that, unfortunately—and this is paraphrasing him when I spoke to him at one particular time, that the allocation formula broke down. It was putting gasoline where cars were not. The urban areas, I think, are burdened with misappropriation. There was particularly under this system, substantial bias against urban areas. The price of gasoline was likewise controlled at the pump. You had a situation whereby one particular dealer could charge  $x$  amount of dollars and another one down the street 4, 5, 6, 7 or even 10 or 12 or 14 cents more and that formula was based on a formula derived by DOE and the particular gasoline dealer was locked into a system back in 1973 or 1974.

It also, Mr. Chairman, created a situation and a tremendous amount of pressure on small, independent gasoline dealers such that it was forcing him out of the system altogether, so that the large oil companies were buying up the small independents. A number of them in New Jersey and throughout the United States actually were forced to close.

The price system, Mr. Chairman, has retarded capital investment and par-

ticularly when it has to do with refineries, improving systems in refineries.

Mr. Chairman, obviously, this particular amendment has to do with the allocations formula and price control formula. An allocation formula that really took a 5- or 6-percent shortfall and increased that shortfall because of the 5-percent State set-aside, because of a growth formula, a formula that did not take into consideration the fact that some gasoline stations would be closing which in prior history served the particular area, a situation such that there was a growth formula that had a tilt to a different part of the country. It created a shortfall that was approximately 5 or 6 percent in gasoline in this country and increased that shortfall to 22 and 25 percent, thus creating gas lines 4 or 5 hours.

Mr. Chairman, I hope everyone gets behind this amendment, an amendment that really has to do with getting the sticky fingers and the long arm of Government away from a situation where it does not need to be.

Obviously, Mr. Chairman, if there is going to be a dramatic shortfall in gasoline or crude oil, if there is going to be as we often say a catastrophic shortfall, there has to be some sort of an allocation process.

This amendment deals with the situation we had this past month. It deals with the situation when the shortfall is 5, 6 and 7 percent and I urge upon my colleagues the adoption of this amendment.

I yield back the balance of my time.

Mr. YATES. Mr. Chairman, I move to strike the last word and will speak in opposition to the amendment.

May I say first there are no funds in this bill which can be used for the regulation of price controls of gasoline. Therefore, the amendment will really not apply to any funding in this bill.

It is kind of a back door through which the gentleman has moved in order to eliminate price controls on gasoline. This is not the subject for an appropriations bill. We had no hearings on this subject. We do not know what the effect is likely to be. We do not know what the impact of removing such controls is likely to be. It is a complicated, detailed subject that ought to be before a legislative committee and should have thorough hearings before the House is called upon to take any action.

I think we would be acting precipitously. I respect the power of the gentleman's argument and yet I submit this is not the forum for this kind of an argument. It ought to be a legislative committee that passes upon this kind of an amendment after having had the benefit of experts in the field, after having had the opportunity to hear witnesses to see what the effect of this is likely to be.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Minnesota.

Mr. VENTO. I would like to concur with the gentleman from Illinois (Mr. YATES).

We are in a situation where we do not control absolutely the supply end of the

energy equation and we do not control the demand end of it and we have, of course, some allocation control systems in between which, incidentally, bear the brunt for a lot of the problems and perhaps rightly so for some of them. They deserve a part of it and I think President Carter's move to change energy secretaries, in my judgment, is a prudent one and we probably ought to do a better job of administration. But I think the American people do expect this Congress to maintain a voice in this, not just leave it up to the multi-national oil companies and OPEC and the demand which, of course, I do not think anyone intends to control or at least is addressing themselves to that and, of course, this bill modestly tries to deal with the synfuels and the supplies side of the equation.

We really have a responsibility here, I think, to maintain a voice and I would hope we would reject that amendment for that reason.

Mr. YATES. Mr. Chairman, I thank the gentleman for his contribution.

I again repeat, this is a subject for an authorizing committee and should not be part of this debate.

I request a no vote on this amendment.

□ 1910

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. COURTER).

The question was taken; and on a division (demanded by Mr. COURTER) there were—ayes 15, noes 29.

So the amendment was rejected.

The CHAIRMAN. If there are no further amendments, the Clerk will read title III.

The Clerk proceeded to read title III.

Mr. YATES. Mr. Chairman, I ask unanimous consent that title III be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. Are there any points of order against title III?

The Chair hears none.

Mr. WEAVER. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I would like to enter into a colloquy with my distinguished colleague from Oregon, Mr. DUNCAN, on language dealing with a prohibition on exporting logs harvested from Federal forests.

Mr. DUNCAN of Oregon. I believe the language was inserted originally by the then chairman Mrs. Hanson, with support of our former colleague, Mr. Wyatt of Oregon—but I have supported the continued prohibition in subsequent appropriation bills and do in this one.

Mr. WEAVER. Does the language in this bill cover substitution of Federal timber for logs from private lands which are exported?

Mr. DUNCAN of Oregon. It does.

Mr. WEAVER. Could this language in the bill be construed to prohibit not just direct substitution but also prohibit third party substitution?

Mr. DUNCAN of Oregon. I believe it

could be so construed, although it has not been.

Mr. WEAVER. So therefore, the U.S. Forest Service could, based on the present language in this bill, promulgate regulations prohibiting third party substitution.

Mr. DUNCAN of Oregon. Well, I believe, even the present rules could be so read, but they have not been, and administrative interpretation and practice over the years does have some legal weight in interpreting published ambiguous language. I further understand that the Forest Service has published notice of intent to promulgate regulations on third party substitution.

Mr. WEAVER. Is it your expectation that these regulations will clarify congressional intent to prohibit third party substitution?

Mr. DUNCAN of Oregon. There will be hearings on 15, 16 and 17. I cannot predict the results.

Mr. WEAVER. I thank the gentleman.

Mr. VENTO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to commend the chairman of the Appropriations Interior Subcommittee and the other members of that subcommittee for their efforts. The careful deliberation that they extended in the careful consideration of the wide variety of issues, areas, and priorities contained in this bill is reflected in the quality of H.R. 4930. I want to commend the subcommittee particularly for their actions in relation to the Boundary Waters Wilderness Area and the funds appropriated to implement Public Law 95-495.

This act, designed to provide the essential protection for the popular wilderness area in Minnesota, has affected the traditional means of livelihood for some residents in the area. When Congress passed this important legislation, it realized that adjustments would be necessary and made the commitment through the establishment of programs to assist the local communities to make the needed transition. I am glad to see that the subcommittee and the full Appropriations Committee, at the urging of Congressmen SABO, OBERSTAR, myself, and all members of the Minnesota delegation as well as the Friends of the Boundary Waters Wilderness, have recognized that commitment and have provided the funding necessary to meet the needs of the local communities.

The programs authorized and funded by Congress will be important for both the resource and the residents in that area. Assistance will now be available to resort owners to make the transition to activities which are compatible with wilderness. New programs will be developed which will expand the opportunities to utilize the resource to new users, as the handicapped.

In addition, this appropriation will provide funding to strengthen and increase the role of logging in the local economy. Under the wise management of the Superior National Forest and State lands, and the better utilization of hard-

woods, the contribution of the woods products industry to the local economy of northeastern Minnesota will increase.

This appropriation is an important step for the Boundary Waters Canoe Area, for the local residents and for all Americans.

Mr. YATES. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. DANIELSON) having assumed the chair, Mr. MINETA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4930) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1980, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BADHAM. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 344, nays 42, not voting 48, as follows:

[Roll No. 402]

YEAS—344

Abdnor	Baldus	Bonior
Addabbo	Barnard	Bouquard
Akaka	Barnes	Bowen
Albosta	Beard, R.I.	Brademas
Ambro	Beard, Tenn.	Breaux
Anderson,	Bedell	Brinkley
Calif.	Bellenson	Brodhead
Andrews, N.C.	Benjamin	Brooks
Andrews,	Bennett	Broomfield
N. Dak.	Bereuter	Brown, Calif.
Annunzio	Bethune	Brown, Ohio
Anthony	Bevill	Broyhill
Applegate	Biaggi	Buchanan
Aspin	Bingham	Burgener
Atkinson	Blanchard	Burlison
Bafalis	Boland	Burton, John
Bailey	Boner	Burton, Phillip



Butler  
Byron  
Campbell  
Carney  
Carr  
Carter  
Cavanaugh  
Chappell  
Cheney  
Clausen  
Clay  
Cleveland  
Clinger  
Coelho  
Coleman  
Conte  
Corcoran  
Cotter  
Coughlin  
D'Amours  
Daniel, Dan  
Daniel, R. W.  
Danielson  
Daschle  
Davis, Mich.  
Davis, S.C.  
de la Garza  
Deckard  
Dellums  
Dickinson  
Dicks  
Dingell  
Dixon  
Dodd  
Donnelly  
Dornan  
Dougherty  
Downey  
Drinan  
Duncan, Oreg.  
Duncan, Tenn.  
Early  
Eckhardt  
Edgar  
Edwards, Ala.  
Edwards, Calif.  
Emery  
English  
Erdahl  
Erlenborn  
Ertel  
Evans, Del.  
Evans, Ga.  
Fary  
Fascell  
Fazio  
Fenwick  
Ferraro  
Findley  
Fisher  
Flipflo  
Florio  
Foley  
Ford, Tenn.  
Fountain  
Fowler  
Frost  
Fuqua  
Gaydos  
Gephardt  
Gibbons  
Gilman  
Gingrich  
Ginn  
Glickman  
Goldwater  
Gonzalez  
Goodling  
Gore  
Gradison  
Grassley  
Gray  
Green  
Grisham  
Guarini  
Gudger  
Guyer  
Hagedorn  
Hall, Ohio  
Hall, Tex.  
Hamilton  
Hammer-  
schmidt  
Hanley  
Hansen  
Harkin  
Harris  
Harsha  
Hawkins

Heckler  
Hefner  
Heftel  
Hightower  
Hillis  
Hinson  
Hollenbeck  
Holtzman  
Hopkins  
Horton  
Howard  
Hubbard  
Huckaby  
Hughes  
Hutto  
Hyde  
Ichord  
Ireland  
Jacobs  
Jenkins  
Jenrette  
Johnson, Calif.  
Johnson, Colo.  
Jones, N.C.  
Jones, Tenn.  
Kastenmeier  
Kazen  
Kildee  
Kindness  
Kogovsek  
Kostmayer  
Kramer  
LaFalce  
Lagomarsino  
Leach, Iowa  
Leach, La.  
Leath, Tex.  
Lederer  
Lehman  
Leland  
Lent  
Levitas  
Lewis  
Livingston  
Lloyd  
Loeffler  
Long, La.  
Long, Md.  
Lott  
Lowry  
Lujan  
Lundine  
McClary  
McCormack  
McDade  
McEwen  
McKay  
McKinney  
Madigan  
Maguire  
Markey  
Marks  
Marriott  
Mathis  
Matsui  
Mavroules  
Mazzoli  
Mica  
Michel  
Mikulski  
Mikva  
Miller, Calif.  
Miller, Ohio  
Mineta  
Minish  
Mitchell, N.Y.  
Moakley  
Montgomery  
Moorhead,  
Calif.  
Moorhead, Pa.  
Murphy, Ill.  
Murphy, N.Y.  
Murphy, Pa.  
Murtha  
Myers, Pa.  
Natcher  
Neal  
Nedzi  
Nelson  
Nolan  
Nowak  
O'Brien  
Oberstar  
Obey  
Ottinger  
Panetta  
Pashayan  
Patten

Patterson  
Pease  
Perkins  
Peyser  
Pickle  
Preyer  
Price  
Pritchard  
Pursell  
Quillen  
Rahall  
Ratchford  
Regula  
Reuss  
Rhodes  
Richmond  
Rinaldo  
Ritter  
Roberts  
Robinson  
Roe  
Rose  
Rosenthal  
Rousselot  
Roybal  
Royer  
Rudd  
Runnels  
Russo  
Sabo  
Santini  
Satterfield  
Sawyer  
Scheuer  
Schroeder  
Schulze  
Seiberling  
Shannon  
Sharp  
Shelby  
Shuster  
Simon  
Skelton  
Smith, Iowa  
Smith, Nebr.  
Snowe  
Snyder  
Solarz  
Spellman  
Spence  
St Germain  
Stack  
Staggers  
Stangeland  
Stanton  
Stark  
Steed  
Stenholm  
Stewart  
Stokes  
Stratton  
Studds  
Swift  
Symms  
Taylor  
Thomas  
Thompson  
Trible  
Van Deerlin  
Vander Jagt  
Vank  
Vento  
Walker  
Wampler  
Watkins  
Waxman  
Weaver  
Weiss  
White  
Whitehurst  
Whitley  
Whittaker  
Whitten  
Williams, Mont.  
Wilson, C. H.  
Winn  
Wirth  
Wolfe  
Wolpe  
Wyatt  
Wydler  
Wylie  
Yates  
Yatron  
Young, Alaska  
Young, Fla.  
Young, Mo.  
Zablocki  
Zeferet

## NAYS—42

Archer  
Ashley  
Badham  
Bauman  
Collins, Tex.  
Conable  
Courter  
Crane, Daniel  
Crane, Philip  
Dannemeyer  
Derwinski  
Devine  
Edwards, Okla.  
Evans, Ind.

Frenzel  
Gialmo  
Gramm  
Hance  
Holt  
Jeffries  
Jones, Okla.  
Kelly  
Kemp  
Latta  
Lee  
Lungren  
McDonald  
Martin

Mattox  
Moore  
Mottl  
Myers, Ind.  
Paul  
Petri  
Roth  
Sensenbrenner  
Shumway  
Solomon  
Stump  
Synar  
Tauke  
Volkmer

## NOT VOTING—48

Alexander  
Anderson, Ill.  
Ashbrook  
AuCoin  
Boggs  
Bolling  
Bonker  
Chisholm  
Collins, Ill.  
Conyers  
Comman  
Derrick  
Diggs  
Fish  
Fithian  
Flood

Ford, Mich.  
Forsythe  
Garcia  
Holland  
Jeffords  
Luken  
McCloskey  
McHugh  
Marlenee  
Mitchell, Md.  
Moffett  
Mollohan  
Nichols  
Oakar  
Pepper  
Quayle

Railsback  
Rangel  
Rodino  
Rostenkowski  
Sebelius  
Slack  
Stockman  
Traxler  
Treen  
Udall  
Ullman  
Walgren  
Williams, Ohio  
Wilson, Bob  
Wilson, Tex.  
Wright

## □ 1930

The Clerk announced the following pairs:

Mr. Wright with Mr. Anderson of Illinois.  
Mr. AuCoin with Mr. Quayle.  
Mr. Corman with Mr. Williams of Ohio.  
Mr. Mollohan with Mr. Ashbrook.  
Mr. Slack with Mr. McCloskey.  
Mr. Rostenkowski with Mr. Bob Wilson.  
Mr. Rodino with Mr. Railsback.  
Mr. Nichols with Mr. Sebelius.  
Mr. Moffett with Mr. Forsythe.  
Mr. Mitchell of Maryland with Mr. Jeffords.  
Mrs. Boggs with Mr. Fish.  
Mrs. Chisholm with Mr. Marlenee.  
Mr. Luken with Mr. Udall.  
Mrs. Collins of Illinois with Mr. Walgren.  
Mr. Charles Wilson of Texas with Mr. Ullman.  
Mr. Holland with Mr. McHugh.  
Mr. Pepper with Ms. Oakar.  
Mr. Rangel with Mr. Traxler.  
Mr. Bonker with Mr. Alexander.  
Mr. Derrick with Mr. Ford of Michigan.  
Mr. Fithian with Mr. Garcia.  
Mr. Conyers with Mr. Flood.

Mr. HARSHA changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. YATES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, and that I may be permitted to include tables, charts, and other material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

## PLOWBACK—THE ANSWER

(Mr. COLLINS of Texas asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Texas. Mr. Speaker, the gentleman from Georgia (Mr. LEVITAS) raised a good point about our adjourning. I want to tell the Members one good reason why we should adjourn is to go home and find out what is going on in this country. For 25 years the Democrats have run Congress. They created the energy problem, and they do not know the solution. The best solution of all would be the plowback tax credit.

Mr. Speaker, energy is Congress big problem, but the House failed to provide the "plowback" which is the best answer. The Senate, in its wisdom, can rectify this situation.

The Republicans strongly urged the plowback credit but missed by a few votes. The energy crisis in American has not been faced by this Democrat dominated Congress. Congress makes the laws and for these past 25 years the Democrats have controlled this Congress. Today the Democrats dominate by 276 to 159.

Why does the majority party not face up to the need for more oil and gas to be produced in the United States? Just 6 years ago the United States was importing \$3 billion a year in oil, but this year the United States will import \$60 billion of oil in this 1 year.

Oil is short, but the country keeps importing and ruining our financial stability.

Congress placed price controls of \$5.50 a barrel on U.S. oil. But OPEC oil from abroad went right on up and today OPEC oil landed at a U.S. port at \$22.40 a barrel.

Now there are several price tiers on U.S. oil.

But as U.S. oil is allowed to move up to the world price, the House passed a 60-percent tax on U.S. oil, but a 0-percent tax on OPEC oil. How can American oil companies get the capital they need when their own Government taxes Americans 60 percent on rising prices and taxes OPEC 0 percent on rising prices.

This Carter administration plan called windfall profits solves nothing. This is a tax on U.S. companies for rising prices caused by the OPEC oil producing countries. The tax is not on profits but on prices. If producing costs go up 45 percent and a 60 percent tax is added, the company could lose 5 percent despite a higher price.

America needs oil.

Remember that we only recovered 30 percent of the oil when the well was drilled with primary production. But now with \$22.40 a barrel that we are paying OPEC, we could pay American oil companies \$22 and they can recover 30 percent more out of all of America's oil wells by secondary and tertiary recovery.

But the capital funds must be available. There is capital if oil is deregulated and the price increases are "plowback" capital for the U.S. oil companies. The plowback credit requires all money from this credit to go back into U.S. oil exploration and development.

The oil companies have a great record

of reinvestment in seeking more oil. Let us review actual records that we have:

1. 1978 Sun Oil Company:  
\$365 million, net income.  
\$453 million, capital expenditures.
2. 1977 Top U.S. Oil Companies—Reinvestment:  
\$7.87 billion, net income.  
\$15.57 billion, capital investment and exploration costs.
3. 1976 v. 1975 Sample of 44 Representative Oil Companies:  
\$28.6 billion, cash flow from profits plus depreciation.  
\$28.8 billion, capital expenditures; 7.1 percent increase in capital expenditures.  
To finance the cash flow shortfall, long term debt for the 44 company group was expended 10.9 percent by outside borrowing.
4. 1975 v. 1974 43 Oil Company Group:  
Capital and exploration expenditures increased 4.6 percent despite decreased earnings. \$26.9 billion reinvestment versus \$11.6 billion in earnings.
5. 1973 v. 1972 43 Oil Company Group:  
\$11.8 billion, net income.  
\$16.3 billion, capital and exploration expenses; 14.0 percent increase in capital expenditures.
6. 1969 v. 1968 36 Oil Company Group:  
\$6.8 billion, net income.  
\$12.87 billion, capital and exploratory expenditures.

#### OBJECTION TO THE AUGUST RECESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. COURTER) is recognized for 5 minutes.

● Mr. COURTER. Mr. Speaker, I object. This House, this Congress cannot recess in the face of this energy crisis. There are too many important energy bills requiring our attention to justify our time away from Washington. To turn our backs on this legislation—no matter for how short a period—is to turn our backs on the American people. The people are crying out for a short-term solution to the gas lines. They want assurances that they will have the fuel oil to keep their homes warm this winter. They are demanding that we do everything in our power to insure the energy independence of America.

Mr. Speaker, if our predecessors in the Continental Congress had shown this eagerness to escape the heat and the problems in Philadelphia in 1776, we would still be a part of the British Empire.

Breaking our ties with OPEC today, is as important as the severing of the apron strings with England in 1776—our freedom to act as we choose, our self determination as a nation, the independence of America depends on it.

Our citizens have always held dear the unique American qualities of will and determination. Yet this Congress lacks the will and the determination to face and resolve our Nation's energy crisis. We have a sworn commitment to the people of the United States to provide them with the leadership and the guidance they need in these trying times. Consider what needs to be done. I urge you to stay here and act on the substantive and effective energy legislation that this country needs. ●

#### THE MURDER OF FEDERAL DISTRICT JUDGE JOHN W. WOOD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, I rise for the purpose of giving an interim report on the progress or lack of progress in the solution of the unprecedented murder of Federal District Judge John W. Wood, nor is there a proximation of solution to the attempted murder of the Assistant Federal District Attorney, James W. Kerr last November.

I will remind the House that Judge Wood was assassinated in the waning hours of the month of May and, regretfully, I must report that no more progress has been made indicating any kind of a lead of any substance or any kind of a lead leading to a solution of this very dastardly crime. It is an unprecedented crime. No Federal district judge has been assassinated in this century, and there has been one case, perhaps, in the entire history of the judiciary before it.

The involvement I have described on prior occasions. The case gets a little bit more complex. But what I am firmly resolved and pledged to do is not to let this case go into the penumbra of forgetfulness, into the dust of history, as in the case of the Hoffa mystery where we have the disappearance of a most prominent American, with no trace, and the law enforcement agencies with no ability to solve that case over the course of years.

Mr. Speaker, I am determined and I will persist until the case involving the murder of John W. Wood and the attempted assassination of James W. Kerr are resolved fully and completely. In the meanwhile, the manifestations of the presence of the most sophisticated and organized elements of crime are quite apparent, even to the most naive of laymen. The case seems to be tied in by law enforcement agents with one pending in the jurisdiction of El Paso, some 600 miles away from the scene of the murder, but one in which Judge Wood was to be the presiding judge. The defendant in this case has very tight connections with organized crime based in Las Vegas, and I think it is very instructive to say that his lawyer happens to be the personal lawyer for the No. 1 chieftan of organized crime or the syndicate, Meyer Lansky, which shows the relative range of importance involved in all of these transactions.

Mr. Speaker, I must, though, in truthfulness, report to the House that no progress up to date has really been made leading to the solution of these two crimes.

#### THE 1979 CAPTIVE NATIONS WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 5 minutes.

● Mr. FLOOD. Mr. Speaker, the 1979 Captive Nations Week—the 20th anniversary of this Nation's tradition—was successfully proclaimed and observed in

all parts of our country and abroad. This reminder of America's natural alliance with over 1 billion captive people in Central Europe, within the U.S.S.R., in Asia, and Cuba is in the fullest spirit of human rights and represents an Achilles Heel to all the illegitimate Communist regimes, particularly the imperialist Moscow one. Going into the 1980's, we must continue with this tradition more than ever before.

As reports continue to flow in on the 1979 week, I shall select examples for my colleagues to indicate the scope of the observance. I commend to their attention the following: First, proclamations by Governors Hugh L. Carey of New York and Ed Herschler of Wyoming; second, those by Mayor Stanley A. Cmilch of Canton, Ohio, Thomas J. Early of Worcester, Mass., and Gerald W. Graves of Lansing, Mich.; third, a salute to Boston by NCNC Chairman, Dr. Lev E. Dobriansky and items from the Boston Captive Nations Committee; fourth, an editorial and report in the Catholic Standard, July 5 and 12; fifth, an article on "Understanding Russian Fears"; and sixth an article by Spotlight on "Patriots Plan Observances of Captive Nations Week."

The material follows:

#### PROCLAMATION—STATE OF NEW YORK

The greatness of the United States is in large part attributable to its ability, through the democratic process, to achieve a harmonious national unity among its citizenry, which has sprung from infinitely diverse backgrounds.

The harmonious unification of our society has led the free people of our Nation to champion understanding and sympathy for the aspirations of peoples in other nations throughout the world.

The commemoration of Captive Nations Week is dedicated to the spirit and hope of enslaved peoples in their continuing quest for freedom and self-determination in their beloved native lands.

The freedom-loving people in captive lands look to the United States as a citadel of freedom and to the American people as a source of guidance and inspiration.

The Captive Nations Committee of New York will hold appropriate activities throughout the week to commemorate this annual observance and to address the issue of human rights and justice on behalf of the oppressed peoples in captive nations.

Now, therefore, I, Hugh L. Carey, Governor of the State of New York, do hereby proclaim the week of July 15-21, 1979, as "Captive Nations Week" in New York State.

#### PROCLAMATION

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in



bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86-90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples;

Now, Therefore, I, Ed Herschler, Governor of the State of Wyoming, do hereby proclaim that the week commencing July 15, 1979 be observed as "Captive Nations Week" in Wyoming, and call upon the citizens of Wyoming to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of Wyoming to be affixed this twelfth day of July, 1979.

#### "CAPTIVE NATIONS WEEK" JULY 15-21, 1979

Whereas; the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkistan, North Vietnam, Cuba, and others; and

Whereas; the desire for liberty and independence by the overwhelming majority of the peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas; the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas; the Congress of the United States by unanimous vote passed Public Law 86-90 establishing the third week in July each year as the citadel of human freedom and to the people of the United States to observe such week with appropriate prayers, ceremonies and activities;

Now, Therefore, I, Stanley A. Cmich, Mayor of the City of Canton, do hereby proclaim the week of July 15-21, 1979 as "Captive Nations Week" and urge that all citizens support this annual recognition of the intent and purpose of the Communist dominated and oppressed peoples of the world to regain their freedom.

#### PROCLAMATION

Whereas: The imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, Byelorussia, Rumania, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkistan, North Vietnam, Cuba, Cambodia, South Vietnam, Laos and others; and

Whereas: The desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders and initiate a major war; and

Whereas: The freedom loving peoples in the captive nations look to the United States as the citadel of human freedom and to the people of the United States as the leaders in bringing about their freedom and independence; and

Whereas: The Congress of the United States, by unanimous vote passed Public Law 86-90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayer, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples;

Now, therefore, I, Thomas J. Early, Mayor of the City of Worcester, do hereby proclaim the week of July 15-21, 1979, to be "Captive Nations Week" in the City of Worcester, and call upon the citizens to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of the captive nations.

#### PROCLAMATION

Whereas: The imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkistan, North Vietnam, Cuba, and others; and

Whereas: The desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas: The freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas: The Congress of the United States by unanimous vote passed Public Law 86-90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples.

Now, therefore, I, Gerald W. Graves, Mayor of the city of Lansing, by the power vested in me, do hereby proclaim the week of July 15, 1979, to July 21, 1979, as "Captive Nations Week" in Lansing, and call upon all citizens to join with me in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

ALEXANDRIA, VA., July 15, 1979.

Dear friends of the captive nations, as National Captive Nations Committee chairman, I most warmly congratulate your Captive Nations Committee for its contributions and achievements in implementing Public Law 86-90 for the past two decades. For the northeast region of our country your efforts, led particularly by Orest Szczudluk, have been outstanding, and thus vitally contributory to the overall national effort to show that the captive nations in toto, especially those in the USSR, are the Achilles heel of Moscow and the hope of the west. We'll persevere for the good and just.

Sincerely,

LEV E. DOBRIANSKY.

#### PRESS RELEASE

The week of July 15-21, 1979, will be observed as "Captive Nations Week" in the nation and in Massachusetts, according to proclamations issued by President Jimmy Carter and Governor Edward J. King. The purpose of the Captive Nations Week is to salute captive nations under Russian com-

munist domination and reaffirm our support for their freedom and national independence.

On Wednesday, July 18, 1979, starting at 11:30 a.m. a special commemorative program will be held in Doric Hall—Massachusetts State House, Beacon Hill, Boston, in observance of the "Captive Nation Week" in Boston. The program will include prayers, reading of proclamations, a talk about captive nations and their aspirations for national independence and some cultural entertainment.

During the program, a plaque of appreciation will be presented to the Honorable John W. McCormack, retired Congressman from Boston and Speaker of the U.S. House of Representatives for his contributions to the enactment of the Captive Nations Week Resolution in July 1959.

The public is cordially invited to attend the observance at the State House.

This year marks the 20th anniversary of the enactment of the Captive Nations Week Resolution, known as Public Law 86-90. The resolution listed 22 original captive nations: Ukraine, Lithuania, Latvia, Estonia, Armenia, Azerbaijan, Byelorussia, Idel-Ural, Cossackia, Turkistan, Poland, Hungary, Czechoslovakia, Rumania, Bulgaria, Albania, Georgia, East Germany, Mainland China, North Vietnam, North Korea, Tibet. Added to the list were: Serbia, Croatia, Slovenia, Cuba, Cambodia, South Vietnam and Laos.

In his 1979 "Captive Nations Week" proclamation, President Jimmy Carter stated: "Americans now, as at all times in our history, remain steadfast in our belief that liberty and national independence are among the universal birthrights of mankind."

Governor King's proclamation noted: "The establishment of national and independent States by all captive nations and the the decolonization of the Soviet Union Empire would contribute significantly to a just and lasting peace in the world and to the freedom of all nations."

This year's observance of the "Captive Nations Week" in Boston is sponsored by the 1979 Captive Nations Week Committee and active participation of Lithuanian American Council of Boston, American National Latvian League in Boston and Ukrainian Congress Committee of America—Boston Chapter. "This year's observance of the 'Captive Nations Week' provides yet another opportunity to use to manifest our concern for freedom and national independence of all captive nations under Russian communist domination," stated Orest Szczudluk, a spokesman for the Captive Nations Week Committee and vice president of the Ukrainian Congress Committee of America in Boston.

BOSTON, MASS., July 6, 1979.

#### 20TH ANNIVERSARY OF CAPTIVE NATIONS WEEK

This year's observance is sponsored by: Lithuanian American Council of Boston, American National Latvian League in Boston, Inc., and Ukrainian Congress Committee of America—Boston Chapter.

President Jimmy Carter and Governor Edward J. King designated the Week of July 15-21 as "Captive Nations Week" in the nation and in Massachusetts respectively.

In his proclamation of June 22, President Carter stated: "Americans now, as at all times in history, remain steadfast in our belief that liberty and national independence are among the universal birthrights of mankind. Remembering our democratic heritage and our commitment to human rights, let us take this occasion to reaffirm our admiration for all men and women around the world who are committed to the cause of freedom. And mindfull of our own rich and diverse heritage, let us express our compassion and respect for persons around the world still seeking the realization of these ideals in their own lands."

Governor King's proclamation stated: "The captive nations of Central and Eastern Europe—Armenia, Byelorussia, Estonia, Latvia, Lithuania, Ukraine, Georgia and others—have not accepted the Soviet Russian enslavement and continue to struggle for their national and independent states. The establishment of national and independent States by all captive nations and the decolonization of the Soviet Union Empire would contribute significantly to a just and lasting peace in the world and to the freedom of all nations."

The "Captive Nations Week Resolution" of July 17, 1959, enumerated 22 original captive nations in the following order (year of communist domination is in the brackets): Poland (1947), Hungary (1949), Lithuania (1940), Ukraine (1920), Czechoslovakia (1948), Latvia (1940), Estonia (1940), Byelorussia (1920), Rumania (1947), East Germany (1949), Bulgaria (1946), Mainland China (1949), Armenia (1920), Azerbaijan (1920), Georgia (1920), North Korea (1948), Albania (1946), Idel-Ural (1920), Tibet (1951), Cossackia (1920), Turkestan (1922), North Vietnam (1954). Added since were: Cuba (1960), Cambodia (1975), South Vietnam (1975), Laos (1975).

[From the Catholic Standard, July 5, 1979]

#### BRAVE LITHUANIANS

It is easy to be a Catholic in the United States but there are many places in the world where being a Catholic requires courage.

It may take the most courage of all in Lithuania where a nation is totally in the control of the Soviet Union and just being a faithful Catholic may bring you imprisonment or death.

So consider the tremendous courage of 522 Catholic priests in Lithuania. They have taken a public stand against a Decree on Religious Associations where Soviet government officials are given virtual control over churches and their organizations.

The protest statement was signed by 522 of Lithuania's 708 priests—there may have been good reasons the others did not sign. What these brave priests told Soviet authorities was that they cannot obey laws which contradict the Church. Their first loyalty is to the Church, its laws and its bishops, the priests said in their statement, and they asked for a repeal of anti-religious laws and an end to state interference in the appointment of priests.

They are joined by Lithuanian Catholics, who are under the same oppressive rule that threatens their lives and freedom if they are openly Catholic.

It is a time for us to remember the people in captive nations, pray for them, support them in every way we can—and, most of all, to reflect on how we in our religious freedom fall so often to appreciate how fortunate we are and fail to unite ourselves in loyalty to the Church, its laws and its bishops. Where the Church is under persecution, Catholics recognize how basic this loyalty is to our unity.—D.F.

[From the Catholic Standard, July 12, 1979]

#### CAPTIVE NATIONS WEEK

We were a week early with our cartoon on Captive Nations Week—it is observed July 15-21. But the situation that is observed in this week is one that should be close to our hearts.

When 20 years ago President Eisenhower proclaimed the first Captive Nations Week, it was to unite us with the longing for freedom of those once free and independent nations in Central and Eastern Europe, including the non-Russian nations absorbed under Communist domination into the USSR.

President Eisenhower said that our nation should keep in mind this injustice "until such time as freedom and independence shall have been achieved for all the captive nations of the world."

In those 20 years since the first proclamation none of the captive nations have regained freedom or independence. But our dedication to the cause of their freedom should be stronger than ever.

Among the human rights to which we are dedicated is the right of nations to be free. Captive Nations Week is a reminder to us that nations are not free, that still many are under Russian domination, and with the reminder we must commit ourselves to support oppressed peoples in their captivity.—D. F.

[From the King Features Syndicate, May 25, 1979]

#### UNDERSTANDING RUSSIAN FEARS

(By Ronald Reagan)

Most Americans probably think of the Soviet Union as "Russia," a country populated by "Russians." The Russians wish it were so, but today they make up less than 50 percent of the population of the vast U.S.S.R. and the birthrate doesn't favor them.

There are 50 nationality groups in the U.S.S.R. with populations of 100,000 or more 22 of them have more than a million each. Andrei Amalrik, who left the Soviet Union to take up a new life at Harvard's Russian Research center, wrote recently, "This variety of nationalities, part of which were independent states or belonged to other states during the past century, contradicts the unitarian Soviet system. The conflict is somewhat mitigated by the existence of national republics, but their autonomy exists largely on paper; the central authorities always try—sometimes cruelly sometimes subtly—to replace the national languages and traditions with common Soviet traditions and the Russian language."

When those two Russian diplomats who had been caught spying in the U.S. were exchanged recently for five men freed from the Gulag, one of those men, a Ukrainian, brought home to the free world just how crushing this "Russification" program can be to a proud nationality.

Valentyn Moroz had spent 14 of his 43 years in Soviet jails. A scholar and historian, Moroz had defied "Russification" of his native Ukraine by presenting the facts about how the Russians were trying to smother its nationality.

Amalrik says, "... 'Russification' is due less to the strength of the Russian central authorities than to their weakness. Their weakness is caused first by a fear of the decreasing percentage of Russians in the national demographic balance and second by a crisis of ideology."

Valentyn Moroz—one brave voice—clearly rubbed the Russian authorities the wrong way, for he demanded cultural freedom for the Ukraine. Indirectly he was speaking for such other distinct nationalities within the Soviet empire as the Georgians, Byelorussians, Estonians, Latvians, Lithuanians and Armenians—not to mention the satellite communist states of central and eastern Europe.

Soviet policies designed to wipe out national consciousness from among their subjects range from mass deportations from ancestral homelands all the way to murder, according to Moroz.

And nothing is sacred, he says. A few years ago holy Ukrainian icons were "borrowed" for use by the Soviet government. Even though their return had been guaranteed in writing, the people of the Ukraine have not seen them since 1963. In another case a Soviet official in charge of "cultural affairs" ordered the burning of highly-prized, centuries-old graphics in the Lvov museum.

Valentyn Moroz, as he stepped into the light of freedom, set an example for the rest of us, it seems to me. He has learned important truths from terrible experiences. Undaunted, he kept on writing and speaking out for the freedom of his people's heritage

and culture, despite the dangers to him personally. He has proved that the longing for freedom can be stronger than the weapons of tyranny. It is often ignored in international relations, but it is a power in the human spirit to be reckoned with.

#### PATRIOTS PLAN OBSERVANCES OF CAPTIVE NATIONS WEEK

WASHINGTON.—The 20th anniversary of Captive Nations Week will be observed throughout the free world July 15-21, affording patriots their foremost opportunity this year to rally in support of the victims of Soviet imperialism.

In at least a dozen American cities, and in many foreign countries, mammoth demonstrations on behalf of the captive peoples of Europe, Asia and Latin America are planned.

The House of Representatives will also consider the plight of the Captive Nations and their oppressed peoples. Each year, a "special order" sets aside in advance time during the week for members to speak out in aid of the 30 Captive Nations. (This is the conservative, official congressional count, and does not include some nations under strong Soviet influence, such as Panama.)

Rep. Edward J. Derwinski's (R-Ill.) office told The Spotlight on June 26 that the special order will be on July 18. Derwinski is a leader of the Captive Nations Week movement.

#### CAPTIVE 59 YEARS

The Captive Nations are defined as those which have come under communist domination primarily as a result of Soviet imperialism.

The first bloc of these have been prisoners for 59 years; in 1920, the Bolshevik government of Soviet Russia began conquering independent nations adjacent to Russia proper.

These nations—including part of Armenia, Ukraine, Byelorussia and Georgia—were organized as captives in the USSR.

Throughout the following years, in successive waves, Soviet Russia added additional nations to its empire; its single largest acquisition took place in the late 1940s, when Presidents Franklin Roosevelt and Harry Truman signed Eastern Europe over to the Red Army.

The Spotlight (June 27, 1977) has examined in detail the creation of Soviet Russia's empire of Captive Nations. The Spotlight's "Christian Holocaust" series (Sept. 18, Oct. 9 and 23, 1978; Jan. 1 and 8, Feb. 19, March 5, April 23 and May 14) has also documented the Soviets' calculated murder of scores of millions of Christians.

#### INCENSES COMMISSARIS

Captive Nations Week was established by a Joint Resolution of Congress in 1959. The law declaring the third week of July as Captive Nations Week was passed after years of spontaneous demonstrations on their behalf by anticommunists in the U.S. and abroad.

(Communist reaction to any display of support for the captive peoples has always been particularly hysterical; in 1959, the Hungarian revolt of 1956 (Spotlight, Oct. 17, 1977 and Oct. 23, 1978) and the East German and Polish rebellions of 1953 were still fresh in the minds of the Kremlin's kagans.)

Soviet dictator Nikita Khrushchev was outraged by the establishment of Captive Nations Week and vilified it both personally and through the Soviet propaganda machine.

The Captive Nations Week resolution, in addition to defining Congress views on the Soviet empire, directed the president to annually issue a Captive Nations Week proclamation; President Eisenhower did so, forcefully, in 1959 and 1960.

Ike issued his first proclamation the very day the Joint Resolution passed Congress. Eisenhower affirmed U.S. support for "the many nations throughout the world (that) have been made captive by the imperialist



and aggressive policies of Soviet communism."

#### PROCLAMATION GUTTED

Ike issued the same proclamation—complete with denunciations by name of Soviet Russia—in 1960.

President John Kennedy, however, gutted the Captive Nations Week proclamation; the mush which Kennedy produced left out any reference to communism, Russia, Soviet policy, Soviet imperialism, "Soviet-dominated nations," the plight of the Captive Nations and everything else which made Ike's proclamations so forceful and which so enraged the Kremlin. The Spotlight (June 27, 1977 and May 29, 1978) has examined the decline of the proclamations.

The Kremlin continued to denounce the annual observances after 1960 (despite the fact that Kennedy's proclamations were bland and weak); because Congress still independently championed the Captive Nations, and patriotic Americans demonstrated in support of them.

After Kennedy gutted the spirit of the Captive Nations proclamation, subsequent presidents could not have strengthened the language without being attacked for "escalating" the "cold war" and increasing "international tension."

#### ABANDON CAPTIVE PEOPLES

President Jimmy Carter, however, sought to go Kennedy one better. Carter tried in 1977 to forgo issuing any proclamation at all (Spotlight, Aug. 8, 1977).

This, remember, was during the time when Carter's pious "human rights" rhetoric was a daily feature of the liberal Establishment media.

Patricia Derian, the State Department's designated "human rights expert," said then she was "not overly concerned" that Carter was not issuing a Captive Nations proclamation. "It's not as if we were sending money to Chile," she said (Chile has a strongly anti-communist government).

Miss Derian was identified as a Marxist a few months ago by Nicaraguan President Anastasio Somoza, who is battling to prevent his country from becoming another Captive Nation.

Carter's 1977 attempt to ignore the Captive Nations miscarried after patriotic citizens and members of Congress brought pressure to bear; Carter grudgingly issued the proclamation a few hours before the members of the House were scheduled to roast him.

#### RALLIES PLANNED, CONGRESS ACTIVE

Captive Nations Week observances are planned this year in (at least) New York City; Chicago; Phoenix; San Diego; Buffalo; Pittsburgh; Boston; Cleveland; Syracuse, N.Y.; Philadelphia and New Orleans. In addition, South Korea, the Philippines and the Republic of (Free) China on Taiwan will hold observances.

Meanwhile, representatives are already actively preparing for Captive Nations Week; in addition to Derwinski's plan, Rep. Daniel J. Flood (D-Pa.) has placed two speeches and two lengthy articles on the Captive Nations in the "Congressional Record."●

#### THE PROTECTION OF PRIVACY ACT OF 1979

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BINGHAM) is recognized for 10 minutes.

● Mr. BINGHAM. Mr. Speaker, I am today introducing a bill which would require a court order before law enforcement officials could break and enter into private premises to install eavesdropping equipment. My bill, the Protection of Privacy Act of 1979, shares the same goal as H.R. 4854, introduced last week by my

friend, the able gentleman from New York, Mr. Weiss. I am a cosponsor of the Weiss bill and I am happy to have the gentleman as a cosponsor of mine.

I am including in the RECORD, at this point, an editorial from the Philadelphia Inquirer which summarizes the recent Supreme Court decision in *Dalia* against United States and argues persuasively for enactment of the type of legislation which I am introducing to protect "a basic right of privacy."

My bill differs from the Weiss bill in a number of important details. In general the Protection of Privacy Act would give the courts greater control over the activities of law enforcement officials while they are on private premises without the consent of the occupant. It also sets tighter standards for the issuance of a break-in order.

Unlike the Weiss bill, the Protection of Privacy Act expressly provides criminal penalties for an unauthorized break-in. It would require all applications for a break-in order to originate with the Attorney General of the United States or an assistant which he designates or the chief prosecuting attorney of a State or political subdivision.

In addition to the requirements which the applicant must meet under the Weiss bill, the Protection of Privacy Act would require the applicant to explain why means less intrusive than a break-in would not be successful.

The applicant would not only have to describe the premises to be entered, but would have to name those areas within the premises which he believes must be entered.

An estimate of the amount of time which the break-in should last would also have to be supplied. Finally, the applicant would have to advise the court of any previous actions known to him concerning a break-in involving the same persons or premises.

All of these factors should be known to a judge so that he may better determine the need for a break-in.

My bill would require a break-in order to be in writing. It would have to specify the areas within the premises which may be entered and the date and time (allowing for one alternate time and date) when the break-in may be carried out so that the intrusion would be minimized to the greatest possible degree. It would prohibit law enforcement officials from opening any locked enclosures, such as a locked desk drawer or closet, located within an area approved for entry.

My bill would give a judge the authority to require an applicant for a break-in order to report back to him after the break-in to insure that the authority had not been exceeded. The bill would provide for exclusion of evidence obtained as a result of an unauthorized break-in, or if the order was insufficient on its face.

Perhaps the two most important protections offered by my bill would be the provisions giving a judge the discretion to deny permission for a break-in and prohibiting the use of a break-in order in conjunction or in concert with a warrant or order other than an eavesdrop order.

Protecting the private premises of an individual is extremely important to our American way of life. It is possible that

an applicant could meet all the requirements of this bill but, in the opinion of the judge, the facts of the case still might not justify allowing an intrusion of the magnitude of a break-in.

My bill gives a judge the discretion to turn down an application in such an instance.

The need for individuals to have some private place to escape from the problems of the modern world, where they can reflect, relax, study, or just be themselves is greater now than ever.

The authors of our Constitution were wise enough to recognize this when they included the fourth amendment as a part of the Bill of Rights.

I hope Congress will reaffirm its belief in this constitutional principle respecting individual privacy and promoting individuality by passing legislation along the lines of the Protection of Privacy Act and/or H.R. 4854.

#### SUPREME COURT ERODES A BASIC RIGHT OF PRIVACY

The United States Supreme Court, in a technically complex case involving the restraints under which police authorities must proceed in implementing court-authorized electronic eavesdropping, has established a doctrine which erodes the privacy rights of all Americans. It leaves to the Congress the responsibility to reestablish explicitly the protections which the court, in a split decision, has taken away.

The decision came in *Dalia v. U.S.*, involving the conviction of a New Jersey man for receiving stolen property. In seeking evidence against Lawrence Dalia, agents of the Federal Bureau of Investigation obtained a court order, under the provisions of the 1968 Omnibus Crime Control Act, which allowed them to use electronic eavesdropping devices.

Fine, that is what the law allows, and it is a valuable weapon, especially in cases of organized crime and political corruption. But taking the principle a step beyond the specifics of either the statute or the judge's order, the FBI agents pried open a window in Dalia's office and planted a "bugging" device in the ceiling. The conversations thus recorded eventually contributed to his conviction.

In their appeal, Dalia's lawyers contended his rights were violated at three levels: (1) That the Fourth Amendment's prohibition of unreasonable search and seizure made all covert entry into private property unacceptable; (2) That since the 1968 law is specifically silent on the question of covert entry in order to install eavesdropping equipment, it does not give police agents or the warrant-issuing courts the power to authorize covert entry; and (3) That even if the power to authorize breaking and entering falls implicitly to the judge, he then is required to issue a separate, explicit order permitting it.

Properly, the Supreme Court unanimously rejected the first argument. To have done otherwise would have been to deny the Congress and the states the right to pass laws allowing, under reasonable protections, searches and seizures which are fundamentally important to responsible law-enforcement. The court also rejected the second contention, on a vote of 6-to-3, and the third, 5-to-4.

In their dissent on the second point, Associate Justices John Paul Stevens, William J. Brennan Jr. and Thurgood Marshall contended that since the statute does not explicitly allow covert entry, the majority's opinion "converts silence into thunder." Justice Potter Stewart joined the dissent on the third point.

The dissenting justices went back into the history of the Congress's evolution of the 1968 act and found, in the language of Jus-

tice Stevens, that "the legislators never even considered the possibility that they were passing a statute that would authorize federal agents to break into private premises without any finding of necessity by a neutral and detached magistrate . . . I fear that the court's holding may reflect an unarticulated presumption that national police officers have the power to carry out a surveillance order by whatever means may be necessary unless explicitly prohibited by the states or by the Constitution. But surely the presumption should run the other way."

Surely, it should. In ruling to the contrary, a majority of the Supreme Court has, once again, taken away an important protection of individual liberty and privacy which at the very least should be determined, with the greatest caution, by the Congress.

The majority has thus laid on the steps of the Capitol a challenge—and a responsibility—to enact legislation which will, at the very least, require that specific and explicit cases be made by police authorities who seek to break into private premises, and that judges empowered to issue warrants for electronic eavesdropping be required to consider as a separate and even more demanding question whether breaking and entering can be permissible in order to do so. ●

#### ENERGY ARTICLE NO. 1: GASOLIN IS COMING ON STRONG

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 10 minutes.

● Mr. ALEXANDER. Mr. Speaker, in order to secure the U.S. energy future, the national energy strategy must be based on a multiple-energy source policy. Among those energy sources which we can now start bringing on the line—aside from expanded drilling and enhanced recovery of domestic oil, full utilization of nuclear power, and continued encouragement of conservation in the home, business, industry and transportation—are alcohol fuels, particularly ethanol, derived from agricultural biomass.

The new National Alcohol Fuels Commission, on which I serve as one of the congressional members, will be assessing the full potential of alcohol fuels. However, within certain agricultural regions, including my State of Arkansas, the movement is already well underway to produce alcohol fuel, primarily for blending with gasoline to produce "gasohol."

There appears to be little question that gasohol is becoming a popular fuel with the motoring public. I believe this demonstrates that the public is ready to accept the alternatives necessary to kick the foreign oil habit.

Attesting to the popularity of gasohol, I would like to share with my colleagues an article which appears in the current issue of the magazine *Changing Times*.

The article follows:

#### FILL'ER UP WITH GASOLIN

(NOTE.—In the states where it is available, motorists are snapping up this gasoline-alcohol blend for their cars. Can it help ease the oil shortage? Could your car run on it?)

On a balmy evening early last April, President Carter proclaimed on national television his first widely recorded official endorsement of an oil-conserving fuel that has been powering automobiles successfully for more than 60 years. "From the products of our forests and croplands," he declared in his address announcing the decontrol of domestic oil prices, "we can produce more gasohol—al-

ready being used to replace gasoline in several midwestern states."

As it turns out, the President wasn't strictly accurate. Gasohol doesn't really "replace" gasoline. In fact, 90 percent of it is unleaded gasoline. The remaining 10 percent is alcohol—200-proof ethyl alcohol, or ethanol, to be precise. And in that portion of the blend lies the basis for some appealing claims for this hybrid fuel.

Gasohol, say its advocates, burns cleaner than either leaded or unleaded gasoline and cuts carbon monoxide emissions by as much as 30 percent.

It makes many cars run more smoothly, reducing engine knock and eliminating "dieseling," the tendency of some engines to keep running after the ignition has been turned off.

In some tests gasohol has delivered more miles per gallon than straight gasoline.

Since the alcohol component of gasohol can be brewed from practically anything that grows—corn, sugar cane, potatoes—it is a renewable energy source that can help us reduce our dependence on imported oil.

Fermenting the alcohol from farm crops would create a new market for farmers, thus easing the problem of persistent farm surpluses and saving the money the government now pays farmers not to grow certain crops, such as corn and wheat.

If there is truth to such claims—and there is—then why haven't we embarked on a full-scale gasohol production program so that everyone's car can use it? The answer comprises something of a mixture itself: part technology, part economics and part politics.

Not everyone agrees that gasohol is as promising a fuel as its advocates say, but no one disagrees with the claim that it works. If your car runs well on gasoline with an octane rating of about 90, it will run well on gasohol with no alteration of your engine. Some retailers do advise motorists to keep an eye on the fuel line filter when they first make the switch because in a dirty engine the alcohol loosens sludge and sediment, which can clog the filter.

At one time gasohol opponents warned that the alcohol would have a tendency to separate from the gasoline in the car's tank, causing hard starting in winter and vapor lock in summer. But millions of miles of driving in the seasonal extremes of the Midwest haven't supported that argument, and such warnings aren't heard much anymore.

The fact that gasohol works so well makes it difficult for an oil-hungry nation to resist. Gasohol seems to offer us a way to stretch gasoline supplies by 10% without having to discover a single additional drop of oil. Its advocates insist that that is exactly what it would do. Its opponents—who have been found mostly in the large oil companies and, until recently, in the federal government—argue that too many roadblocks stand between the relatively small scale production of today and a program large enough to make a significant contribution to our energy needs.

#### HOW MUCH MORE CAN WE MAKE?

Right now most of the alcohol going into gasohol comes from a single plant in Decatur, Ill., operated by the Archer Daniels Midland Co. A couple of smaller plants elsewhere in the country add a little bit more. Altogether these distilleries are making enough ethanol to mix up about a million gallons of gasohol a day—less than 1/2 of 1% of the country's daily gasoline consumption. Before those numbers can grow significantly, gasoholics will have to convince potential investors in new plants that they can resolve a number of disputes in their favor.

Raw materials. Opponents of a large-scale gasohol program say that producing enough ethyl alcohol to replace a significant amount of gasoline would require such huge crops that too much of the country's farm acreage would have to be diverted from food produc-

tion. Gasohol defenders insist that the millions of acres the government keeps out of production deliberately each year are sufficient to grow the crops needed for an alcohol fermentation program that could replace 10% of all the gasoline we burn. Furthermore, they say, the land wouldn't be lost for food production entirely. Fermentation of such starchy crops as corn yields a high-protein by-product that could be sold on world markets, thus helping to reduce the troublesome deficit in our balance of payments.

Cost. It costs about three times as much to make a gallon of ethanol in today's plants as it does to refine a gallon of gasoline. Thus, adding ethanol to gasoline raises the price at the pump. But most dealers have been selling gasohol as fast as they can get it, thanks in part to tax breaks that bring down the fuel's price. It is exempt from the 4-cents-a-gallon federal gasoline tax until September 1984, and in Iowa, where it sells best, gasohol was voted an exemption from the state levy on gasoline. The results of these and other tax breaks is that in most places gasohol sells at about the same price as unleaded premium gas. Gasohol backers say that technological advances in new plants will bring the price down even more. Nevertheless, conservation, not economy, will continue to be gasohol's strongest selling point.

Energy balance. Perhaps the most stinging charge gasohol's detractors make is that the production of ethanol consumes more energy than the fuel eventually delivers in your car. Gasoholics say this criticism misses the point. The alcohol from distillation plants burning coal, municipal refuse or some other plentiful commodity would extend our supply of gasoline, which is scarce. Besides, they say, studies showing a negative energy balance were made at old plants producing beverage-grade alcohol. Producers of fuel-grade alcohol needn't be as fussy about purity, and new plants would incorporate technological improvements that deliver the alcohol with a favorable energy balance. So far, though, such a plant has not been built.

#### GETTING FROM HERE TO THERE

For most Americans the debate over gasohol is purely academic, since the fuel is probably not sold at their local filling stations. Of the 600 to 700 gasohol stations in the country, most are in one state, Iowa. Nebraska, Illinois and Indiana sport a number of outlets, and a few stations are located in each of about a dozen other states. The reason for the fuel's popularity in the farming states is simple: The ethanol going into gasohol so far has been distilled almost exclusively from corn, and corn is a very big farm crop.

Farm crops aren't the only source of alcohol. Timber, coal, even solid municipal wastes can be made into a form of alcohol called methanol through a gasification process that bypasses fermentation. Methanol backers point out that it, too, can be used as a gasoline extender, and they have figures to show that it is cheaper to make than ethanol. The Mobil Oil Co. has even demonstrated a successful, though very expensive, way to convert methanol into high-octane gasoline.

The struggle over gasohol is now centered in Washington, since federal incentives for building alcohol plants of one sort or another may make the difference between a regional gasohol program and a national one. Gasoholics think the tide is running in their favor. "The President's endorsement gave us recognition and a sense of legitimacy in other people's eyes that we didn't have before," says Richard Merritt, an unpaid lobbyist for the National Gasohol Commission. "It is now socially acceptable in Washington to favor gasohol." ●



## PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. DRINAN) is recognized for 5 minutes.

● Mr. DRINAN. Mr. Speaker, due to a longstanding commitment to serve as a panelist in a "National Town Meeting" on privacy, which was held at Washington's Kennedy Center, I was unavoidably absent from the House for a brief period on July 26 during consideration of House Resolution 379, a rule providing for the consideration of H.R. 3000. Had I been present for rollcall No. 389, on approval of the resolution, I would have voted "yea." ●

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. CORMAN (at the request of Mr. WRIGHT), for today, on account of official business.

Mr. MURPHY of Illinois (at the request of Mr. WRIGHT), for today, on account of official business.

Mr. RODINO (at the request of Mr. WRIGHT), for today, on account of illness in the family.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ERDAHL) to revise and extend their remarks and include extraneous material:)

Mr. DUNCAN of Tennessee, for 30 minutes, today.

Mr. COURTER, for 5 minutes, today.

(The following Members (at the request of Mr. GLICKMAN) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. WEAVER, for 5 minutes, today.

Mr. FLOOD, for 5 minutes, today.

Ms. HOLTZMAN, for 5 minutes, today.

Mr. ALEXANDER, for 10 minutes, today.

Mr. VAN DEERLIN, for 5 minutes, today.

Mr. ALEXANDER, for 10 minutes, today.

Mr. DRINAN, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. GINN, to revise and extend his remarks immediately following the remarks of Mr. McCORMACK today in the Committee of the Whole.

Mr. HUGHES, immediately following the remarks of Mr. FLORIO on his amendment to H.R. 4930 in the Committee of the Whole today.

(The following Members (at the request of Mr. ERDAHL) and to include extraneous matter:)

Mr. ROYER.

Mr. PHILIP M. CRANE in two instances.

Mr. McCLOSKEY in two instances.

Mr. MICHEL in two instances.

Mr. WYDLER.

Mr. HILLIS.

Mr. PAUL in two instances.

Mr. TAUKE.

Mr. GRASSLEY.

Mr. ANDERSON of Illinois.

Mr. RINALDO.

Mr. GILMAN.

Mr. HAMMERSCHMIDT in two instances.

Mr. DAVIS of Michigan.

Mr. SOLOMON.

Mr. JEFFORDS.

Mr. HOPKINS.

Mr. BOB WILSON in two instances.

Mr. BEREUTER in two instances.

Mr. COLLINS of Texas.

(The following Members (at the request of Mr. GLICKMAN) and to include extraneous matter:)

Mr. ANDERSON of California in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Ms. HOLTZMAN in 10 instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in five instances.

Mr. CONYERS in two instances.

Mr. BIAGGI in 15 instances.

Mr. McCORMACK in three instances.

Mr. MAZZOLI.

Mr. MAVROULES.

Mr. PREYER.

Mr. VENTO in two instances.

Mr. GARCIA in two instances.

Mr. GEPHARDT in two instances.

Mr. GAYDOS.

Mr. SIMON.

Mr. MOTT in two instances.

Mr. RICHMOND.

Mr. VAN DEERLIN.

Mr. MURPHY of New York.

Mr. LUKEN.

Mr. RUSSO.

Mr. HARRIS.

Mr. ROSENTHAL.

Mr. WAXMAN.

Mr. LOWRY.

Mr. PATTERSON.

Mr. WOLPE.

Mr. OTTINGER.

Mr. O'NEILL.

Mr. JENNETTE.

Mr. SKELTON.

Mr. DINGELL in three instances.

Mr. WEISS.

Mrs. SCHROEDER.

## ENROLLED BILL SIGNED

Mr. THOMPSON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1786. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 976. An act to authorize appropriations for the international affairs functions of the Department of the Treasury for fiscal year 1980.

## BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMPSON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On July 25, 1979:

H.J. Res. 373. Recognizing the anniversaries of the Warsaw uprising and the Polish resistance to the invasion of Poland during World War II.

On July 26, 1979:

H.R. 4537. To approve and implement the trade agreements negotiated under the Trade Act of 1974, and for other purposes;

H.R. 4591. To make technical corrections and miscellaneous amendments in certain education laws contained in the Education Amendments of 1978, and for other purposes; and

H.R. 4712. To delay conditionally the effective date of certain rules of procedure and evidence proposed by the U.S. Supreme Court, and for other purposes.

## ADJOURNMENT

Mr. GLICKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until Tuesday, July 31, 1979, at 10 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2132. A letter from the Governor, Farm Credit Administration, transmitting the 45th annual report of the Farm Credit Administration and the Cooperative Farm Credit System, including the report of the Federal Farm Credit Board, pursuant to section 5.18(3) of Public Law 92-181, as amended; to the Committee on Agriculture.

2133. A letter from the Deputy Secretary of Defense, transmitting notice of approval of annual compensation rates, exceeding \$45,000 for officials of various Federal Contract Research Centers, pursuant to section 407(b) of Public Law 91-121; to the Committee on Armed Services.

2134. A letter from the Director, Defense Security Assistance Agency, transmitting a report on the impact on U.S. readiness of the Air Force's proposed sale of defense equipment to Jordan (Transmittal No. 79-62) pursuant to Section 813 of Public Law 94-106; to the Committee on Armed Services.

2135. A letter from the Director, Defense Security Assistance Agency, transmitting a report on the impact on U.S. readiness of the Air Force's proposed sale of defense equipment to the United Kingdom (Transmittal No. 79-66) pursuant to section 813 of Public Law 94-106; to the Committee on Armed Services.

2136. A letter from the Director, Defense Security Assistance Agency, transmitting a report on the impact on U.S. readiness of the Army's proposed sale of defense equipment to Saudi Arabia (Transmittal No. 79-73), pursuant to section 813 of Public Law 94-106; to the Committee on Armed Services.

2137. A letter from the first vice president and vice chairman, Export-Import Bank of the United States, transmitting a report on loan, guarantee and insurance transactions supported by Eximbank during June 1979 to Communist countries; to the Committee on Banking, Finance and Urban Affairs.

2138. A letter from the Mayor of the District of Columbia, transmitting the annual report for fiscal year 1978 on the District of Columbia's alcoholism program, pursuant to section 13(a) of the act of August 4, 1947, as amended (82 Stat. 623); to the Committee on the District of Columbia.

2139. A letter from the Secretary of Health, Education, and Welfare, transmitting the family contribution schedules for the basic educational opportunity grant program for academic year 1980-81, pursuant to section 411(a)(3)(A)(ii) of the Higher Education Act of 1965, as amended; to the Committee on Education and Labor.

2140. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting a copy of Presidential Determination No. 79-11, finding that the sale of defense articles and defense services to the Government of Barbados will strengthen the security of the United States and promote world peace; to the Committee on Foreign Affairs.

2141. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting a report on political contributions made by Ambassador-designate James W. Spain, and his family, pursuant to section 6 of Public Law 93-126; to the Committee on Foreign Affairs.

2142. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting a report on political contributions made by Ambassador-designate Thomas J. Watson, Jr., and his family, pursuant to section 6 of Public Law 93-126; to the Committee on Foreign Affairs.

2143. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting notice of the State Department's intention to consent to a request by the Government of Australia for permission to transfer certain U.S.-origin defense articles to the Government of Papua New Guinea, pursuant to section 3(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2144. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Air Force's intention to offer to sell certain defense equipment and services to Jordan (Transmittal No. 79-62), pursuant to section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2145. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Air Force's intention to offer to sell certain defense equipment and services to the United Kingdom (Transmittal No. 79-66) pursuant to section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2146. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Army's intention to offer to sell certain defense equipment and services to Saudi Arabia (Transmittal No. 79-73), pursuant to section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2147. A letter from the Comptroller General of the United States, transmitting a report reviewing the progress Government agencies have made in obtaining sufficient audit staff, (FGMSD-79-43, July 27, 1979); to the Committee on Government Operations.

2148. A letter from the Comptroller General of the United States, transmitting a list of reports issued or released by the General Accounting Office during June 1979, pursuant to section 234 of the Legislative Reorganization Act of 1970; to the Committee on Government Operations.

2149. A letter from the Secretary of the Interior, transmitting a copy of an application by the Lewiston Orchards Irrigation District of Lewiston, Nez Perce County, Idaho, for a loan under the Small Reclamation Projects Act, pursuant to section 4(c) of the act; to the Committee on Interior and Insular Affairs.

2150. A letter from the Assistant Secretary of the Interior for Indian Affairs, transmitting a proposed plan for the use and distribution of the Nisqually Tribe judgment funds in docket No. 197 before the Indian Claims Commission, pursuant to sections 2(a) and 4 of Public Law 93-134; to the Committee on Interior and Insular Affairs.

2151. A letter from the General Counsel of the Department of Energy, transmitting notice of meetings related to the International Energy Program to be held August 7 and 8, 1979, in Paris, France; to the Committee on Interstate and Foreign Commerce.

2152. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases of certain aliens under the authority contained in section 13(b) of the act of September 11, 1957, pursuant to section 13(c) of the act; to the Committee on the Judiciary.

2153. A letter from the General Counsel of the Navy, transmitting a report on the investigation of allegations of mismanagement at the Naval Weapons Center, China Lake, Calif., pursuant to 5 U.S.C. 1206(b)(5)(A); to the Committee on Post Office and Civil Service.

2154. A letter from the Acting Administrator, U.S. Environmental Protection Agency, transmitting revised notice of the proposed reprogramming of funds between various categories of Agency appropriations for fiscal year 1979, pursuant to section 2(c) of Public Law 95-477; to the Committee on Science and Technology.

2155. A communication from the President of the United States, transmitting the energy tax initiatives of his oil import reduction program (H. Doc. No. 96-171); to the Committee on Ways and Means and ordered to be printed.

2156. A letter from the Comptroller General of the United States, transmitting a report on the need for the Department of Agriculture to establish an enforcement and monitoring system to insure that farm cooperatives do not use monopolistic or other unfair trade practices (CED-79-106, July 26, 1979); jointly, to the Committees on Government Operations, Agriculture, and the Judiciary.

2157. A letter from the Comptroller General of the United States, transmitting a report on needed improvements in the Selected Reserve training program of the Department of Defense (FPCD-79-59, July 30, 1979); jointly, to the Committees on Government Operations and Armed Services.

2158. A letter from the Comptroller General of the United States, transmitting a report on needed improvements to the collection of unemployment statistics (GGD-79-79, July 27, 1979); jointly, to the Committees on Government Operations and Education and Labor.

2159. A letter from the Comptroller General of the United States, transmitting a report on passive restraints for automobiles (CED 79-93, July 27, 1979); jointly, to the Committees on Government Operations and Interstate and Foreign Commerce.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABDNOR:

H.R. 5006. A bill to provide assistance to rural water systems in achieving compliance with title XIV of the Public Health Service

Act, and for other purposes; jointly, to the Committees on Agriculture and Interstate and Foreign Commerce.

By Mr. BINGHAM (for himself and Mr. WEISS):

H.R. 5007. A bill to amend title 18 of the United States Code to require court orders for trespass incident to legal interception of wire and oral communications; to the Committee on the Judiciary.

By Mr. DRINAN:

H.R. 5008. A bill to provide for judicial review of administrative determinations made by the Administrator of the Veterans' Administration; to apply the provisions of chapter 5 of title 5, United States Code, to the rules, regulations, and orders of the Veterans' Administration; to provide for the use of a reasonable fee for attorneys in rendering legal assistance to veterans with claims before the Veterans' Administration; and for other purposes; jointly, to the Committees on Veterans' Affairs and the Judiciary.

By Mr. LOWRY:

H.R. 5009. A bill to provide that attorneys fees and other reasonable costs shall be reimbursed to taxpayers who substantially prevail in any proceeding, litigation, or court action which is brought by or against the United States for the determination, collection, or refund of any tax, interest, penalty, or other matter arising under the Internal Revenue Code; jointly, to the Committees on Ways and Means and the Judiciary.

By Mr. THOMPSON (for himself, Mr. BRADEMANS, Mr. HAWKINS, Mr. AN-

NUNZIO, Mr. GAYDOS, Mr. JONES of Tennessee, Mr. MOLLOHAN, Mr. VAN DEERLIN, Mr. MINISH, Mr. DAVIS of South Carolina, Mr. ROSE, Mr. JOHN L. BURTON, Mr. PEYSER, Mr. RATCHFORD, Mr. FAZIO, Mr. DICKINSON, Mr. CLEVELAND, Mr. FRENZEL, Mr. STOCKMAN, Mr. BADHAM, Mr. GINGRICH, Mr. LEWIS, Mr. CAMPBELL, and Mr. LOEFFLER):

H.R. 5010. A bill to amend the Federal Election Campaign Act of 1971 to make certain changes in the reporting and disclosure requirements of such act, and for other purposes; to the Committee on House Administration.

By Mr. MCCORMACK:

H.R. 5011. A bill to limit the size of the Conboy Lake National Wildlife Refuge in the State of Washington to certain lands acquired with the consent of the owners, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MOORE:

H.R. 5012. A bill to amend the Internal Revenue Code of 1954 to allow certain married individuals who file separate returns to be taxed as unmarried individuals; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 5013. A bill to provide for the entry of certain relatives of U.S. citizens and aliens lawfully admitted for permanent residence; to the Committee on the Judiciary.

H.R. 5014. A bill to amend title 18 of the United States Code to prohibit the transportation or use in interstate or foreign commerce of counterfeit, fictitious, altered, lost, or stolen airline tickets; to the Committee on the Judiciary.

By Mrs. SPELLMAN:

H.R. 5015. A bill to amend title 5, United States Code, to extend the Federal Physicians Comparability Allowance Act of 1978, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PATTERSON:

H.J. Res. 384. Joint resolution proposing an amendment to the Constitution of the United States to prohibit compelling the attendance of a student in a public school outside the school district in which the student resides; to the Committee on the Judiciary.



By Mr. VENTO:

H.J. Res. 385. Joint resolution 500th Anniversary Celebration Commemorating Christopher Columbus' First Voyage to the Americas; to the Committee on Post Office and Civil Service.

By Mr. APPELATE (for himself, Mr. KOGOVSEK, Mr. McDADE, Mr. CARTER, Mr. STAGGERS, Mr. FRENZEL, Mr. WHITTAKER, Mr. BUCHANAN, Mr. MILLER of Ohio, Mr. GOODLING, and Mr. CLEVELAND):

H. Res. 392. Resolution to express the sense of the House of Representatives that the United States of America should establish and actively and immediately pursue a national energy plan that emphasizes and demands the use of domestic coal as a means of displacing current foreign energy imports, and for other purposes; jointly to the Committees on Interior and Insular Affairs, and Interstate and Foreign Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of California:

H.R. 5016. A bill for the relief of David Roland Weaver; to the Committee on the Judiciary.

By Mr. SOLARZ:

H.R. 5017. A bill for the relief of Simon Stroh; to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 473: Mr. EDWARDS of Alabama, and Mr. SHUMWAY.

H.R. 545: Mr. PATTERSON, Mr. BADHAM, Mr. LEVITAS, Mr. CARR, Mr. GINN, Mr. BUCHANAN, Mr. MOTT, Mr. ROBERT W. DANIEL, Jr., Mr. MITCHELL of New York, Mr. AMERO, Mr. GREEN, Mr. PATTEN, Mr. STOKES, Mr. MIKVA, Mr. PRICE, Mr. BLANCHARD, Mr. GEPHARDT, Mr. EVANS of Georgia, Mr. YATRON, Mr. HAGEDORN, Mr. WYATT, Mr. DAN DANIEL, Mr. DORNAN, Mr. HALL of Texas, Mr. DERWINSKI, Mr. JACOBS, Mr. WALKER, Mr. ANDREWS of North Dakota, Mr. MURPHY of Pennsylvania, Mr. HAMILTON, Mr. DEVINE, Mr. WINN, Mr. RUNNELS, Mr. LAGOMARSINO, Mr. WHITEHURST, Mr. McDONALD, Mr. RAHALL, Mr. ZEPERETTI, Mr. KRAMER, Mr. EDWARDS of Oklahoma, Mr. SPENCE, Mr. LOTT, Mr. ROSE, Mr. LEE, Mr. JEFFORDS, Mr. BURGNER, and Mr. APPELATE.

H.R. 809: Mr. SABO.

H.R. 811: Mr. CLAUSEN, Mr. CORCORAN, and Mr. LUJAN.

H.R. 1677: Mr. DOWNEY, Mr. FLORIO, Mr. LEE, Mr. PETRI, Mr. PRITCHARD, Mr. SABO, Mr. SOLOMON, and Mr. STANTON.

H.R. 2040: Mr. TREEN.

H.R. 2501: Mr. RICHMOND.

H.R. 2759: Mr. EVANS of the Virgin Islands and Mr. HUGHES.

H.R. 2812: Mr. COUGHLIN.

H.R. 3181: Mr. BAILEY and Mr. BETHUNE.

H.R. 3612: Mr. HEFTTEL.

H.R. 3958: Mr. CLAUSEN.

H.R. 4055: Mr. TREEN and Mr. EDWARDS of Oklahoma.

H.R. 4265: Mr. MCCORMACK, Mr. YATRON, Mr. SIMON, Ms. MIKULSKI, Mr. PATTERSON, Mr. PATTEN, Mr. TREEN, Mr. BAILEY, Mr. KOSTMAYER, Mr. GILMAN, Mr. SANTINI, Mr. MARLENEE, and Mr. CLEVELAND.

H.R. 4279: Mr. GEPHARDT, Mr. EVANS of Delaware, Mr. MARRIOTT, Mr. CORRADA, Mr. MONTGOMERY, Mr. BEVILL, Mr. DANNEMEYER, Mr. BURGNER, Mrs. HOLT, Mr. WHITLEY, Mr. BEDELL, and Mr. DORNAN.

H.R. 4598: Mr. WEISS, Mr. WON PAT, Mr. BOLAND, Mr. VENTO, Mr. LEHMAN, Mr. FLOOD, Mr. YATRON, Mr. SABO, Mr. LAFALCE, Mr. DASCHLE, Mr. STOKES, Mr. DOWNEY, Mr. OTTINGER, Mr. STAGGERS, Mr. LOWRY, Mr. MCCORMACK, Mr. PRITCHARD, Mr. PATTERSON, Mr. CARTER, Ms. FERRARO, Mr. COUGHLIN, Mr. JENNETTE, and Mr. MAGUIRE.

H.R. 4986: Mr. CONYERS, Mr. AKAKA, Mr. TRAXLER, Mr. HEFTTEL, Mr. WHITEHURST, Mr. KILDEE, Mr. WEAVER, Mr. DIXON, Mr. BROWN of Ohio, Mr. GAYDOS, Mr. NEAL, Mr. KOGOVSEK, Mr. TRIBLE, Mr. SNYDER, Mr. BURGNER, Mr. SHELBY, Mr. GRAY, Mr. YATRON, Mr. BALDUS, Mr. FAZIO, Mr. BONIOR of Michigan, Mr. BRODHEAD, Mr. WOLFE, Mrs. SCHROEDER, Mr. DAVIS of Michigan, Mr. THOMPSON, Mr. PRITCHARD, Mr. WIRTH, Mr. SYMMS, Mr. DELUMS, Mr. CLEVELAND, Mrs. HECKLER, and Mr. AMERO.

H.J. Res. 53: Mr. WINN.

H.J. Res. 161: Mrs. SPELLMAN, Mr. PRITCHARD, and Mr. DICKS.

H.J. Res. 202: Mr. DORNAN, Mr. GRASSLEY, and Mr. McDONALD.

H. Res. 36: Mr. TREEN.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

183. The SPEAKER presented a petition of the city council, Miami, Fla., relative to the proposed Condominium Act of 1979; which was referred to the Committee on Banking, Finance and Urban Affairs.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

## EXTENSIONS OF REMARKS

### WE STILL NEED TO RESOLVE THE CLINCH RIVER BREEDER REACTOR CONFLICT

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 30, 1979

• Mr. BROWN of California. Mr. Speaker, the vote last week against the Fuqua-Brown compromise on the Clinch River breeder reactor project will not be the last vote this body will have on this issue. While I do not intend to rehash the issues here, I would like to state that we

will all be called upon to reconsider our positions if a resolution is ever to be reached.

The Los Angeles Times carried an editorial in today's edition which sums up the situation. I urge my colleagues in the House and the Senate to review this item and the issue itself.

The editorial follows:

[From the Los Angeles Times, July 30, 1979]  
A BREEDING OF NUCLEAR FUEL—AND TROUBLE

If the House of Representatives had displayed the same vigor in dealing with truly needed energy legislation that it has shown in keeping alive the dangerous, costly and unnecessary Clinch River nuclear project in Tennessee, the country would be better off.

H.R. 4034

By Mrs. FENWICK:

—Page 27, add the following after line 24 and redesignate the subsequent subsection accordingly:

"(k) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—The Secretary and the Secretary of State shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate before any license is approved for the export of goods or technology valued at more than \$7,000,000 to any country concerning which the Secretary of State has made the following determinations:

"(1) Such country has repeatedly provided support for acts of international terrorism.

"(2) Such exports would make a significant contribution to the military potential of such country, including its military logistics capability, or would enhance the ability of such country to support acts of international terrorism."

H.R. 4040

By Mr. CHARLES H. WILSON of California:

—Page 2, line 14, strike out "\$7,816,190,000" and insert in lieu thereof "\$7,384,290,000".

Page 4, strike out lines 5 through 11 and insert in lieu thereof the following:

SEC. 103. The Secretary of Defense shall provide to the Congress at the earliest practicable date, and not later than the end of the 120-day period beginning on the date of the enactment of this Act, a report on—

—Strike section 810, title VIII of H.R. 4040.

H.R. 4930

By Mr. LAGOMARSINO:

—Page 35, line 2, strike "\$699,377,000," and insert in lieu thereof "\$701,377,000".

S. 1030

By Mr. MOOREHEAD of California:

—Page 43, after line 11, insert the following new subsection:

"(f) CONGRESSIONAL REVIEW OF STANDBY PLAN.—(1) After promulgation of a standby Federal emergency conservation plan, the Secretary shall transmit such plan to the Congress, together with his findings in support of such plan, in accordance with section 551(b) of the Energy Policy and Conservation Act. Such plan may become effective only if either House of the Congress has not disapproved (or both Houses of Congress have approved) such plan in accordance with the procedures specified in section 551 of such Act."

Last week, the House ignored Administration objections and voted to authorize the controversial project, which involves construction of an experimental breeder reactor that would be designed to produce more nuclear fuel than it consumes.

For three years President Carter has been trying to kill the \$2.6 billion project, and for three years the House has refused to sign the death warrant. This is a case where the President is clearly right.

The attraction of breeder reactors is that they would use fuel processed from spent fuel rods taken from conventional nuclear power plants. In the process, they would breed still more fuel. Thus they hold the promise of stretching out world uranium supplies.